

Monday
23rd August, 1948

THE
CONSTITUENT ASSEMBLY OF INDIA
(LEGISLATIVE) DEBATES
(PART I—QUESTIONS AND ANSWERS)

Official Report

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of the
CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)
1948



CONTENTS

VOLUME VI—9th August to 31st August, 1948

	PAGES.
MONDAY, 9TH AUGUST, 1948—	
Declaration by Members	1
Starred Questions and Answers	1—35
Statements laid on the Table	35—87
TUESDAY, 10TH AUGUST, 1948—	
Declaration by Members	69
Starred Questions and Answers	69—108
WEDNESDAY, 11TH AUGUST, 1948—	
Starred Questions and Answers	109—73
THURSDAY, 12TH AUGUST, 1948—	
Starred Questions and Answers	175—202
FRIDAY, 13TH AUGUST, 1948—	
Starred Questions and Answers	203—57
MONDAY, 16TH AUGUST, 1948—	
Starred Questions and Answers	259—97
Unstarred Questions and Answers	297—98
TUESDAY, 17TH AUGUST, 1948—	
Declaration by Members	299
Starred Questions and Answers	299—333
Short Notice Question and Answer	333—84
WEDNESDAY, 18TH AUGUST, 1948—	
Starred Questions and Answers	335—67
FRIDAY, 20TH AUGUST, 1948—	
Starred Questions and Answers	369—406
Transferred Starred Questions and Answers	406—24
Transferred Unstarred Questions and Answers	425
MONDAY, 23RD AUGUST, 1948—	
Declaration by Members	427
Starred Questions and Answers	427—74
TUESDAY, 24TH AUGUST, 1948—	
Declaration by Members	475
Starred Questions and Answers	475—515
WEDNESDAY, 25TH AUGUST, 1948—	
Starred Questions and Answers	517—49
THURSDAY, 26TH AUGUST, 1948—	
Starred Questions and Answers	531—90
SATURDAY, 28TH AUGUST, 1948—	
Starred Questions and Answers	591—619
MONDAY, 30TH AUGUST, 1948—	
Starred Questions and Answers	621—59
Unstarred Question and Answer	659—60
TUESDAY, 31ST AUGUST, 1948—	
Starred Questions and Answers	661—706
Unstarred Question and Answer	706
Short Notice Questions and Answers	707—09

CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE) DEBATES

(PART I—QUESTIONS AND ANSWERS)

Monday, 23rd August, 1948.

The Assembly met in the Assembly Chamber of the Council House at a Quarter to Eleven of the Clock, Mr. Speaker (The Honourable Mr. G. V. Mavalankar) in the Chair.

DECLARATION BY MEMBERS

The following member made the declaration under Rule 2C:

Shri Ghanshayam Singh Gupta (C. P. and Berar: General).

STARRED QUESTIONS AND ANSWERS

(a) ORAL ANSWERS

UNEARTHING OF DUMPED WAR MATERIALS LEFT BY BRITISHERS AND AMERICANS

382. *Mr. R. K. Sidhva: (a) Will the Honourable Minister of Defence be pleased to state whether Government are aware that soon after the termination of the war the Britishers and Americans in India dumped aeroplanes and large quantities of arms and ammunition in various parts of the country?

(b) If so, have Government taken steps to unearth such materials?

(c) Are Government aware that from certain places such war materials were dug out after 15th August, 1947?

(d) Do Government propose to have a systematic survey of all such places?

(e) If not, why not?

The Honourable Sardar Baldev Singh: (a) Yes.

(b) Except for a very few small dumps, all other places where stores were left behind were known and the stores were taken possession of. All information regarding the discovery of arms and ammunition received from time to time has been followed up and the articles recovered.

(c) Arms and ammunition have been recovered from time to time, both before and after the 15th August 1947.

(d) and (e). No, as Government are satisfied that no useful purpose will be served by an elaborate survey at this stage.

Mr. R. K. Sidhva: May I have an idea from the Honourable the Minister as to how many total guns were recovered?

The Honourable Sardar Baldev Singh: It is a very long list and will take too long a time to read out. I have not the total number but I can give the list to the honourable member.

Shri H. V. Kamath: May I know how many aeroplanes were dumped or destroyed after the close of the war by the British and Americans?

The Honourable Sardar Baldev Singh: I will require notice of that question.

Shri H. V. Kamath: Is it not a fact that soon after the war came to a close the Honourable the Prime Minister, before he became pilot of the Ship of State.

condemned this wanton destruction by British and American authorities, and he was then told by the officials who were in charge that this was a part of the intimate intricacies of aviation, comprehensible to aviation experts only?

The Honourable Sardar Baldev Singh: That question had better be put to the Prime Minister himself.

Shri H. V. Kamath: Is it not a fact that one Mr. Antonius Raab till lately Technical Adviser to the Government of Baroda, communicated to the Government, including all the Ministers, that thousands of aeroplanes were destroyed in Cawnpore, Baroda and other places in India. Did Government get such a communication from Mr. Raab?

The Honourable Sardar Baldev Singh: It is a fact that a lot of aeroplanes were destroyed. The honourable member knows the reasons for that destruction.

Dr. B. Pattabhi Sitaramayya: Are Government aware that 15,000 Halifaxes were destroyed before the 15th August and twenty-one of them were destroyed in Baroda aerodrome and they have been disinterred and rescued and all the materials saved have been used for the construction of a beautiful workshop there for the construction of gliders?

The Honourable Sardar Baldev Singh: The information that I have is to the effect that a lot of aeroplanes were destroyed, but I am not in a position to tell the honourable member the exact number. The surplus material after the war was destroyed and that included a number of aeroplanes.

The Honourable Pandit Jawaharlal Nehru: One of the honourable members has mentioned my name in this connection and referred to a statement I made some time ago: in fact before I was connected with Government, in connection with the destruction of a large number of war-time aircraft. There is no doubt that very large numbers of these were destroyed. Most of them I think belonged to the United States, and it was open to them to destroy them or not. And the United States being very flush with the good things of life, are apt to destroy things which they consider not wholly necessary for their purposes. I believe they did destroy a large number. Also others were destroyed because they were not considered good enough. It is possible, and indeed I believe this happened with a considerable number of fairly good planes which were noted down as being no good, and sold as scrap to people who bought them for very ridiculously small prices. All that happened in the past and there is no doubt about it. Exactly to what extent good planes were sold as scrap, it is difficult to say. We did recover some planes which could be reconditioned. We are repairing them and using them. But I do not know how far it is possible to give details of this. Undoubtedly, many things happened which should not have happened.

Shri B. Shiva Rao: Has the attention of the Honourable Minister been drawn to the report of the Disposals Utilization Committee, in which there is a detailed reference to this very subject under discussion?

The Honourable Sardar Baldev Singh: Yes, it has been brought to Government's notice.

Shri B. Shiva Rao: Is Government taking steps to utilise these resources before orders are placed abroad?

The Honourable Sardar Baldev Singh: Yes, every possible step is being taken to see that the stores available in this country are usable or not. If they are found suitable to our requirements, they are used first before any indents are placed abroad.

Dr. B. Pattabhi Sitaramayya: I would like to ask the Defence Minister whether they would put forth their best efforts to save the debris from their burial and utilise the very valuable material lying embedded there.

The Honourable Sardar Baldev Singh: It is very difficult for me to say much about the material lying underground, but the material about which we have information, every step is being taken to make the best use of it.

Mr. R. K. Sidhva: May I know, if, with regard to the thousands of bombers which were alleged to have been destroyed before the 15th August. Government are satisfied that they have not been entered as surplus disposals articles and the money for them paid by us?

The Honourable Sardar Baldev Singh: All these bombers which were destroyed immediately after the war terminated were not, as the Prime Minister has pointed out, our property. Some of them belonged to the United States and some to the United Kingdom. Most of them were destroyed. Some have been recovered by us and are being reconditioned.

Shri B. Shiva Rao: Does the Honourable Minister know that these things are not underground? They are inside cases which have not yet been opened. Will he have them opened to find out what is inside of them?

The Honourable Sardar Baldev Singh: Yes, steps have been taken and all material lying packed in cases are being examined.

Pandit Lakshmi Kanta Maatra: May I know from the Honourable the Minister if these bombers were destroyed before the Interim Government came into office?

The Honourable Sardar Baldev Singh: I think so.

Mr. R. K. Sidhva: May I know whether in the M.E.S. in Delhi Cantonment there are a large number of packages which are not serviceable and have been lying idle for years? Have Government taken any notice as to what should be done with them?

The Honourable Sardar Baldev Singh: Every step is being taken to have all these packages, which are lying in different depots, examined.

Pandit Hirday Nath Kunzru: Has the Report of the Disposals Utilization Committee come to the notice of the Honourable Minister?

Mr. Speaker: That question was put and answered.

Pandit Hirday Nath Kunzru: What decisions have been taken on that report?

The Honourable Sardar Baldev Singh: Those materials which are serviceable are being referred to the appropriate departments and departments concerned are taking steps to make use of them.

Pandit Hirday Nath Kunzru: Has a departmental committee been appointed to look into the matter or are individual officers merely making use of such materials as they think are usable?

The Honourable Sardar Baldev Singh: I can speak for the Defence Ministry. The stores which were found surplus to our requirements viz., the surplus stores, have been very carefully examined and steps have already been taken, as I have said before, to utilise those materials, before any indents are placed abroad for new materials.

Pandit Hirday Nath Kunzru: What are the arrangements that have been made in this connection?

The Honourable Sardar Baldev Singh: It is very difficult to give the details of the steps that have been taken. For instance, we have taken steps to recondition a number of aeroplanes suitable for our use.

Mr. R. K. Sidhva: May I know since how long has the Ministry been inquiring into this matter and when are they likely to complete the enquiry?

The Honourable Sardar Baldev Singh: I can say only so far as the Defence Ministry is concerned. Steps have already been taken in this matter.

Shri K. Santhanam: May I know whether there is a special reconditioning section attached to the Defence Ministry for this purpose?

The Honourable Sardar Baldev Singh: No, Sir.

Mr. R. K. Sidhva: My question was since how long was this enquiry entered into and when it is likely to be completed?

The Honourable Sardar Baldev Singh: The enquiry was conducted by the Disposals Department and the report of that enquiry committee has been sent to the different departments and the materials required by the different departments are being looked into by the departments concerned.

Shri Deshbundhu Gupta: May I know if quite a big part of these materials referred to has found its way into Hyderabad? Have Government any definite information on this point?

The Honourable Sardar Baldev Singh: We have no definite information. All that we know is that some materials which were disposed of might have found their way to Hyderabad.

DACOITIES, THEFTS AND ROBBERIES IN DELHI

883. *Mr. R. K. Sidhva: (a) Will the Honourable Minister of Home Affairs be pleased to state the total number of dacoities, thefts and robberies which occurred in Delhi from 1st January, 1948 to 31st July, 1948?

(b) How many of them were reported in the press, how many at the police stations, how many were investigated and how many prosecuted?

(c) Has the police force been strengthened to minimise this evil?

The Honourable Sardar Vallabhbhai Patel: (a) Dacoities 15, Thefts 4,072, Robberies 86.

(b) A statement is placed on the table of the House.

(c) Yes.

Statement

Showing the number of Dacoities, Thefts and Robberies from the 1st January to the 31st July 1948.

Dacoities			Thefts			Robberies		
Number Reported	Number Investigated	Number Prosecuted	Number Reported	Number Investigated	Number Prosecuted	Number Reported	Number Investigated	Number Prosecuted
15	15	2	4,072	4,072	690	86	86	29

Note.—The number of cases reported in the press is not available.

Shri H. V. Kamath: May I know if the number of police stations has been increased during the six months under reference?

The Honourable Sardar Vallabhbhai Patel: The number of police stations have been increased and also the strength and efficiency of the police have increased.

Mr. R. K. Sidhva: In view of this increase in the number of dacoities, are Government prepared to reorganise the whole police force?

The Honourable Sardar Vallabhbhai Patel: That is being done.

Mr. B. K. Sidhva: Is it not a fact that the Bombay Police force is considered to be the best in the whole of India?

Mr. Speaker: That is a matter of opinion.

Mr. B. K. Sidhva: I want to know whether their assistance will be invited in reorganising the Delhi police force?

The Honourable Sardar Vallabhbhai Patel: It is a very awkward thing to express an opinion about the comparative superiority and efficiency of some of the provincial police forces. Other provinces may claim that their forces are equally good.

Seth Govind Das: May I know whether the number of dacoities and robberies since the last three months has been increasing or decreasing?

The Honourable Sardar Vallabhbhai Patel: They are fairly under control and are on the downward trend.

Shri H. V. Kamath: Do the Home Guards in Delhi co-operate with the police in the prevention of crime? Are there any Home Guards at all in Delhi?

The Honourable Sardar Vallabhbhai Patel: They are supposed to.

Shri H. V. Kamath: Do they actually do so?

The Honourable Sardar Vallabhbhai Patel: As far as possible.

DEVELOPMENT OF LAKHPUT PORT AND DEFENCE OF CUTCH STATE BORDER

324. Mr. B. K. Sidhva: (a) Will the Honourable Minister of Defence be pleased to state whether Government have appointed any commission or representative to investigate the question of developing Lakhput (Cutch) port from the point of view of defence?

(b) Is it the idea to link Lakhput with Bhuj?

(c) What are the plans of Government to strengthen our border on the Cutch State?

(d) Have Government taken any steps in this direction? If so, what are they?

The Honourable Sardar Baldev Singh: (a) No, but a committee known as "The West Coast Major Port Development Committee" was constituted by Government in February, 1948, to carry out *inter alia* investigations regarding the location of a major port in the Cutch-Kathiawar area.

(b) The report of the Committee is now under consideration. I understand, however, that the committee has not made any recommendation for the development of Lakhput or for linking it with Bhuj.

(c) and (d). Steps have been taken for the defence of this portion of the border. It would not be in the public interest to divulge details.

Mr. B. K. Sidhva: May I know which will be the port in the Cutch State which will be developed for the purpose of defence? Am I to understand that the Kurla Port which is going to be developed will be considered as the port for defence purposes or is it any other port?

The Honourable Sardar Baldev Singh: No final decision has been taken. The report of the Committee is under examination and when a final decision has been taken I will be able to inform the honourable member.

Mr. B. K. Sidhva: What is the recommendation of that committee?

The Honourable Sardar Baldev Singh: I have not got the report of the Committee.

Shrimati Dakshayani Velayudhan: Have the Government any plan to develop the Cochin harbour as a naval base?

— **Mr. Speaker:** That does not arise out of this question.

Shrimati Dakshayani Velayudhan: I am asking the question from the point of view of defence.

Mr. Speaker: It does not arise out of this question.

ECONOMY COMMITTEE

385. *Mr. B. K. Sidhva: Will the Honourable Minister of Finance be pleased to state:

- (a) the number of sittings of the Economy Committee since it was appointed;
- (b) who the members of the Committee are and what their attendance has been at each meeting;
- (c) whether Government propose to fix some time limit for the committee to complete its report; and
- (d) whether it is a fact that the meetings are held up on account of the absence of the Chairman?

The Honourable Shri K. C. Neogy: (a) The Committee held its first meeting on the 5th February 1948, the second meeting on the 13th March 1948 and a series of meetings between the 17th and the 20th of May 1948 and the 10th and 21st August 1948.

(b) A statement showing the names of the members and the number of meetings attended by each is placed on the table of the House.

(c) No, but the Committee have been requested to finish their labours as quickly as possible.

(d) The Government have no information but the Chairman has been present at all the meetings.

Statement

Showing the members of the Economy Committee and the attendance at each meeting of the Committee.

	First meeting (5th Feb. 1948)	Second meeting (13th Mar. 1948)	Third meeting (17th to 20th May 1948)	Fourth meeting (10th to 21st Aug. 1948)
Sri Kasturbhai Lalbhai (Chairman)	Present	Present	Present	Present
Sri B. Das, Member	Present	..	Present	Present
Sri S. K. Patil, Member	Present	Present	..	Present on all days ex- cept 13th and 14th August.
Sri T. A. Ramalingam Chettiar, Member (resigned in April, 48)	Present	..	..	
Sri Jaipal Singh, Member (appointed in April, 48)	..	..	Present	Present
Sri Iswar Dayal, Official Member	Present	Present	Present	Present
Sri G. S. Rau, Secretary	Present	Present	Present	Present
Sri P. V. R. Rao, Adviser	..	..	..	Present

Mr. B. K. Sidhva: It was stated by the Honourable Minister that there was no meeting after the 13th March up to the 17th May. May I know the reason for the delay of three months in holding the meetings?

The Honourable Shri K. O. Neogy: Certain preliminary work had to be done by the officers attached to this Committee—both the official member of the Committee and the Secretary and others—for the purpose of collecting the necessary materials. The procedure involves a considerable amount of spade work by the officers who are either members of this Committee or are attached to this Committee. When sufficient materials are available formal meetings are summoned. Meanwhile if members are available at Delhi informal meetings also take place before the formal meetings are held.

Mr. R. K. Sidhva: Has any member of the Committee lodged any complaint about this delay?

The Honourable Shri K. O. Neogy: I have no information.

Mr. R. K. Sidhva: May I know whether any member resigned from this Committee during this period?

The Honourable Shri K. O. Neogy: I understand one member resigned.

Shri B. Shiva Rao: What is the status of this Committee? Is it a Committee of the House or is it the personal responsibility of the Honourable Minister?

The Honourable Shri K. O. Neogy: It was set up under a resolution of the Government. It could not be called a Committee of the House, because there is at least one member who is a permanent official. It was a Committee set up under the authority of the Government.

Shri B. Shiva Rao: When vacancies occur who fills them up?

The Honourable Shri K. O. Neogy: The Government.

Mr. R. K. Sidhva: May I know whether any official has been appointed a member of the Committee and if so, has he the right to vote as an official member?

The Honourable Shri K. O. Neogy: There is one official who has been a member from the very beginning and he, as a member, certainly has a right to vote.

Shri Ajit Prasad Jain: May I know how the activities of this Economy Committee are co-ordinated with the activities of the Reorganisation Committee of the Secretariat?

The Honourable Shri K. O. Neogy: There is no Reorganisation Committee so to say, but my honourable colleague Mr. Gopalaswami Ayyangar is in charge of the work to which my honourable friend has referred. We have considered this question of co-ordination and whatever is possible and necessary will be done in this matter.

Shri Ajit Prasad Jain: May I know whether the Economy Committee has submitted an interim report and what action if any has been taken on that report?

Mr. Speaker: These questions have been answered many times.

Shri H. V. Kamath: Do the Chairman and members of the Committee receive any salary or do they receive only allowances for attendance at meetings?

Shri K. O. Neogy: I understand they receive allowances and no salary.

Mr. Tajamul Hussain: May I know the name of the member who has resigned and the reasons for his resignation and also whether his place has been filled up by somebody else and if so, by whom?

The Honourable Shri K. O. Neogy: The member who resigned is Mr. T. A. Ramalingam Chettiar. His place has been taken by Mr. Jaipal Singh. I do not know the reasons that induced Mr. Ramalingam Chettiar to resign.

Mr. R. K. Sidhva: May I know whether any other member has resigned?

The Honourable Shri K. O. Neogy: I do not think so.

HIGH SALARIED APPOINTMENTS AFTER 15TH AUGUST, 1947

386. *Mr. R. K. Sidhva: (a) Will the Honourable Minister of Home Affairs be pleased to state the names of new recruits appointed in various Ministries drawing salaries of Rs. 1,000 and over together with their designations and the names of Ministries in which they are employed from 15th August, 1947 to 31st July, 1948?

(b) Has any superannuated person also been appointed during this period? If so, who?

(c) Who has the power to create new posts—the Secretary of a Ministry, the Minister or Government as a whole?

(d) Upto what limit of salary have the Secretary, the Minister, and the Prime Minister power to make appointments?

(e) Is the Finance Ministry consulted or its approval taken for making appointments carrying salaries of Rs. 1,000 and over by any Ministry?

(f) If not, is there any agency which could scrutinise such appointments to avoid any discrepancy or creation of unnecessary and superfluous new appointments?

The Honourable Sardar Vallabhbhai Patel: (a) and (b). Two statements containing the required information are laid on the table of the House.

(c) and (d). The power to create posts lies with the Government, but limited powers to create small posts have been conferred on certain authorities specified in Schedules (I) and (II) to the Central Government's Book of Financial Powers, a copy of which is available in the Library of the House.

(e) The approval of the Finance Ministry to the creation of such posts is required to be taken before an appointment is made.

(f) Does not arise.

Statement I

Showing the names and designation of new recruits drawing salaries of Rs. 1,000 and over appointed in the Various Ministries of the Government of India during the period from 15th August 1947 to 31st July 1948.

Name 1	Designation 2	Name of Ministry in which employed 3
1. Bhojwani, Mr. N. K.	Director of Food Grains	Ministry of Food.
2. Hari Sharma, Sardar	Deputy Secretary	Ministry of States.
3. Kesri Singh, Lt. Col.	Military Liaison Officer	Do.
4. Tara Chand, Dr.	Secretary	Ministry of Education.
5. Humayun Kabir, Mr.	Joint Educational Adviser	Do.
6. Masud, Mr. M. N.	Private Secretary to the Honourable Minister for Education.	Do.
7. Kanwar Sir Dalip Singh	Legal and Treaties Adviser	Ministry of External Affairs and Common- wealth Relations.
8. Shridharani, Dr. Krishnalal, Ph. D.	Officer on Special Duty	Do.
9. Haksar, Mr. P. N.	Do.	Do.
10. Sen, Dr. S. R.	Deputy Economic and Sta- tistical Adviser.	Ministry of Agriculture
11. Ganai, Mr. B. J.	Officer on Special Duty	Do.
12. Kalaniker, Dr. R. J.	Do.	Do.
13. Kaith, Mr. D. C.	Do.	Do.
14. Sen, Dr. A. T.	Do.	Do.
15. Raychaudhuri, Dr. S. P.	Do.	Do.
16. Iyer, Mr. S. Ramaswamy	Do.	Ministry of Defence.
17. Kothari, Dr. D. S.	Scientific Adviser	Do.

Statement—contd.

1	2	3
18 Puri, Mr. P. R.	Officer on Special Duty	Ministry of Transport.
	from 23-9-47 to 12-10-47	
	only).	
19. Chabiani, Mr. M. B.	Additional Consulting Engineer (Roads)	Do.
20. Rajagopalan, Mr. K. V.	Additional Draftsman	Ministry of Law.
21. Rajagopaul, Mr. G. R.	Do.	Do.
22. Nanavati, Mr. D. H.	Solicitor	Ministry of Law.
23. Jain, Dr. L. C.	Economic Adviser (Since discharged)	Ministry of Relief and Rehabilitation.
24. Pandey, Diwan Chaman Lal	Facts Finding Officer	Do.
25. Mehta, Dr. Jivraj N.	Secretary	Ministry of Health.

Statement II

Showing the names and designations of superannuated persons drawing salaries of Rs. 1,000 and over appointed in various Ministries of the Government of India during the period from 15th August 1947 to 31st July 1948.

Name	Designation	Ministry in which re-employed.
Sukh Anand, Diwan	Under Secretary	Appointed in the Ministry of Relief and Rehabilitation in October 1947 and transferred to the Ministry Without Portfolio with effect from the 14th June 1948.
Raman, Rao Bahadur V. Siva	Officer on Special Duty	Ministry of Finance (Defence)
Cheema, Dr. G. S.	Fruit Development Adviser	Ministry of Agriculture
Sethi, Mr. D. R.	Agricultural Development Commissioner.	Do.
Bbandarkar, Mr. V. P.	Member, Transportation, Railway Board.	Ministry of Railways.

Mr. B. K. Sidhva: Arising out of parts (a) and (b), may I know whether it is a fact that any super-annuated person from Pakistan who has drawn full pension and provident fund has been employed in the name of a refugee on a salary of Rs. 1,500 and over; if so, do Government consider that a proper procedure?

Mr. Speaker: The latter part is disallowed as it is a matter of opinion.

Mr. B. K. Sidhva: I want an answer to the first part, Sir.

The Honourable Sardar Vallabhbhai Patel: I am not in a position to answer offhand without making any enquiries, but it's quite possible.

Mr. B. K. Sidhva: Does the statement laid on the table by the Honourable Minister include any one of them?

The Honourable Sardar Vallabhbhai Patel: I have given a list from which the honourable member can find it out.

Shrimati G. Durgabai: May I know whether the new appointments come under the scrutiny of the Economy Committee?

The Honourable Sardar Vallabhbhai Patel: The scope of enquiry of the Economy Committee includes these appointments also.

Dr. Bakhshi Tek Chand: Was the Public Service Commission consulted in the case of these appointments?

The Honourable Sardar Vallabhbhai Patel: If any appointment comes under the scope of the Public Service Commission's functions it is consulted.

Mr. R. K. Sidhva: Sir, I have not followed the answer to part (a). My question was whether the Finance Ministry is consulted for making appointments carrying salaries of Rs. 1,000 and over. What was the answer, may I know?

The Honourable Sardar Vallabhbhai Patel: For every post, before it is sanctioned, the consent of the Finance Ministry is taken.

Shri H. V. Kamath: Are the new posts created far more in number than the war-time posts abolished?

The Honourable Sardar Vallabhbhai Patel: I cannot say.

Shri H. V. Kamath: Is it a fact that in certain Departments an undue bias is shown to certain provincials as against the others in the matter of appointments?

Mr. Speaker: Order, order. The question is full of inferences.

Dr. Bakhshi Tek Chand: Will the Honourable Minister lay a statement on the table of the House, showing the number of cases in which the Public Service Commission were as a matter of fact consulted? The Honourable Minister's reply to my question was that in regard to whatever cases that required under the rules to go to the Public Service Commission, the Public Service Commission must have been consulted on them. That is, if I may say so with great respect, not a satisfactory answer. I only want to know as a matter of fact in how many of these cases the Public Service Commission had been consulted. If this information is not available, will the Honourable Minister kindly lay it on the table of the House?

The Honourable Sardar Vallabhbhai Patel: I have no objection to place the information on the table of the House.

PERCENTAGE OF REVENUE SPENT BY PROVINCES AND STATES ON EDUCATION AND MEDICAL RELIEF

337. *R. B. Lala Raj Kanwar: Will the Honourable Minister of Finance be pleased to state the percentage of revenue spent by the various Provinces and major Indian States on Education and Medical Relief in the years 1939-40, 1944-45 and 1947-48?

The Honourable Shri K. U. Meegay: A statement containing the information regarding the Provinces is laid on the table of the House. The Government of India have no information regarding the States.

Statement

Showing the Percentage of Revenues spent by the various Provinces on Education and Medical Relief in the year 1939-40 1944-45 and 1947-48

Name of Province	1939-40 <i>Accounts</i>		1944-45 <i>Accounts</i>		1947-48 <i>Revised</i>	
	Percent- tage of Revenue spent on Education	Percent- age of Revenue spent on Medical Relief	Percent- tage of Revenue spent on Education	Percent- tage of Revenue spent on Medical Relief	Percent- age of Revenue spent on Education	Percent- tage of Revenue spent on Medical Relief
Madras	15.8	5.8	7.2	3.7	13.2	4.2
Bombay	15.2	3.5	7.1	2.7	14.3	3.2
Bengal	11.4	3.9	6.6	2.3	..	..
West Bengal	..	..	..	..	5.8	3.8
Bihar	13.9	4.4	6.5	2.9	6.9	3.2
United Provinces	15.7	2.7	9.1	3.5	10.1	2.9
Punjab	13.5	4.2	7.7	2.7	..	..
East Punjab	..	..	..	..	14.1	3.2
Central Provinces and Berar	10.7	3.1	6.5	2.2	16.6	2.9
Orissa	14.2	4.9	10.2	4.5	13.3	4.4
Assam	13.2	4.9	8.2	3.1	10.8	3.3

The figures in respect of West Bengal and East Punjab are for the period 15th August, 1947 to 31st March, 1948 only.

B. B. Lala Raj Kanwar: In view of the great disparity in the percentage of revenue spent by the different Provinces on education and medical relief, and in view of the great importance of these subjects from the point of view of nation-building activities, will the Government be pleased to consider the feasibility of prescribing a minimum percentage of revenue to be spent on these subjects?

The Honourable Shri K. C. Neogy: I do not know how far my honourable friend's suggestion could be given effect to under the present Constitution.

CENSUS OF ABLE-BODIED AND DISABLED BEGGARS

388. *B. B. Lala Raj Kanwar: Will the Honourable Minister of Health be pleased to state:

(a) the total number of (i) able-bodied and (ii) disabled beggars in the country; and

(b) if reliable figures in respect of able-bodied and disabled beggars are not available, whether Government propose to consider the feasibility of getting such figures in connection with the next decennial census?

The Honourable Rajkumari Amrit Kaur: (a) The information is not available.

(b) The census question on Means of Livelihood will provide information regarding the number of people who may mention begging as their means of livelihood. Apart from this it will not be possible to collect information regarding able-bodied and disabled beggars in a country-wide enquiry like the census.

B. B. Lala Raj Kanwar: May I know whether there is any legislation to prevent able-bodied persons from resorting to beggary, and if there is no legislation will Government be pleased to consider the feasibility of having such a legislation?

The Honourable Rajkumari Amrit Kaur: There is no Central legislation to that effect; I believe some Provinces have such legislation. But if the House

so wishes, the matter might be considered. The Centre is always willing to consider legislation if a certain number of Provinces wish the Centre to undertake it.

Shri M. Tirumala Rao: Have Government got any machinery to collect statistics about the beggars in this country?

The Honourable Rajkumari Amrit Kaur: No.

Shri M. Tirumala Rao: Do Government undertake any responsibility to see that it forms part of their social programme to eliminate beggary in this country?

Seth Govind Das: In view of the fact that in certain Provinces there is legislation for prevention of beggary, will Government obtain this legislation and issue instructions to the other Provinces where there is no such legislation so that a uniform policy may be followed by all Provinces in this matter?

Mr. Speaker: I am afraid these are all suggestions for action.

Dr. B. Pattabhi Sitaramayya: Are Government aware that all able-bodied beggars are not parasites but that some of them have by long tradition been constituted into disseminators of culture and that they minister to the spiritual needs of the nation?

Mr. Speaker: This is more or less revealing information.

Shri S. Nijalingappa: May I know whether priests and pujaris are also considered as beggars?

Mr. Speaker: I think it is a matter of opinion.

Mr. Tajamul Hussain: Do Government propose to make provision—accommodation, food, etc.—for these beggars so that they may not beg?

Mr. Speaker: The question is too general.

HIGH COURTS IN CENTRALLY ADMINISTERED AREAS AND JUDGES OF HIGH COURTS OF STATES UNIONS

389. *R. B. Lala Raj Kanwar: Will the Honourable Minister of States be pleased to state:

(a) the names, qualifications and salaries of the Judges of the High Courts of (i) Saurashtra, (ii) Matsya, (iii) Vindhya Pradesh, (iv) Rajasthan, (v) Gwalior-Indore and Malwa, and (vi) Patiala and East Punjab States Unions; and

(b) which are the High Courts for the Centrally administered areas of (i) Himachal Pradesh, (ii) Bilaspur (if it is treated as a separate Centrally administered area) and (iii) Kutch?

The Honourable Sardar Vallabhbhai Patel: (a) A statement showing the particulars in respect of all the Unions except Patiala and East Punjab States Union is placed on the table of the House. The High Court for Patiala and East Punjab States Union is yet to be formed.

(b) Bilaspur is not yet a centrally administered area; a Judicial Commissioner, who will exercise the powers of a High Court, has been appointed for the Himachal Pradesh and it is the intention to appoint Judicial Commissioner with similar powers for Kutch.

Statements

Serial No.	Name of Union	Name of Judges	Qualifications	Salary	Remarks
1	Mataya Union	(1) Mr. Satish Chandra Chatterji, Chief Justice. (2) Mr. Kumar Krishna Sharma. (3) Mr. Anand Narain Kaul.	Retired Judge, Patna High Court Senior Advocate and Ex-Chief Justice, Bharatpur Judicial Officer, Alwar.	Rs. 2,000 p.m. Rs. 500 p.m. Rs. 500 p.m.	
2	Madhya-Bharat Union	(1) Justice M. V. Bhide, Ex-Judge, Lahore High Court, Chief Justice. (2) Mr. G. K. Shinde. (3) Mr. Abdul Hakim. (4) Mr. P. V. Dixit. (5) Mr. Rega. (6) Mr. V. M. Mehta. (7) Mr. Harshad Sanghi. (8) Mr. B. K. Chakravarti. (1) Sir Harishbhai V. Divetia, Chief Justice.	All fully qualified Lawyers and also Judges or ex-Judges of Gwalior or Indore High Courts. Kt., M. A., LL.B.	Rs. 3,500 p.m. Rs. 1,700 p.m. Rs. 1,500 p.m. Rs. 1,500 p.m. Rs. 1,500 p.m. Rs. 1,500 p.m. Rs. 1,500 p.m. Rs. 3,000 p.m.	
3	Saurashtra Union	(2) Mr. P. L. Chodgar, Puisne Judge. (3) Mr. H. P. Shukla, Puisne Judge. (1) Rai Bahadur Phoolchand Mogha, Chief Justice.	Bar-at-Law. B. A., LL.B. Retd. Dist. and Sessions Judge U. P. and formerly Legal Remembrancer, U. P. Government and afterwards Law Minister Kashmir.	Rs. 2,000 p.m. Rs. 2,000 p.m. Rs. 1,500 p.m.	
4	Vindhya Pradesh Union	(2) Mr. Paschly Chatterisingh, Puisne Judge. (3) Mr. Durgaprasad, Puisne Judge. (4) Rai Bahadur Bhagwati Prasad	Law Graduate of twenty years experience. Judicial Officer of seventeen years' experience. Retired District and Sessions Judge, U. P. and formerly Puisne Judge of the former Bundelkhand States Group High Court.	Rs. 500—60—300. Rs. 600—60—300. Rs. 1,500 p.m.	

5 Rajasthan Union

- (1) Shri Ghinso Lal Dhanopia. Act. M.A., LL.B. Has been working as part-time Judge, High Court, Kishanganj and Shahpura. Ra. 1,700 p.m.
- (2) Shri Jawan Singh Razawat. M. A., LL.B., District and Sessions Judge and High Court Judge Mewar for last eight years. Ra. 1,500 p.m.
- (3) Shri Pate Kishan Kaul, Puisne Judge. Worked in Judicial service of Mewar. Was High Court Judge of Mewar for last six years. Ra. 900 p.m.
- (4) Shri Khem Chand Gupta, Puisne Judge. B. A., LL.B., Leading person of Kotah Bar. Ra. 750 p.m.
- (5) Shri Shardool Singh Mahta. B. A., LL.B., Hakim and Sessions Judge, Mewar. Was Judge, Mewar High Court, for eight years. Ra. 600 p.m.
- (6) Shri Durga Shanker Dave, Puisne Judge. R. A., LL.B., District Magistrate, Sub-Judge, District and Sessions Judge etc. Present pay not known.

B. B. Lala Raj Kanwar: What is the maximum and minimum salary of a High Court Judge in these places?

The Honourable Sardar Vallabhbhai Patel: That can be seen from the statement that I have placed on the table.

REGISTRATION OF LIMITED CONCERNS AND PERMISSION FOR CAPITAL ISSUES

390. *Shri V. C. Kesava Rao: (a) Will the Honourable Minister of Finance be pleased to state the total number of limited concerns that have been registered after the 15th August, 1947, and what is the capital issue sanctioned for them?

(b) How many limited concerns have been refused permits for capital issue and what are the reasons for the refusal?

The Honourable Shri K. C. Neogy: (a) I regret that information regarding the total number of companies registered after 15th August, 1947 is not readily available. During the period 15th August, 1947 to 30th June, 1948, 186 new companies were given consent for the issue of capital of the total value of Rs. 72,60,33 lakhs.

(b) The total number of limited companies refused permission during the same period is 62. Permission is refused in the case of industrial concerns if the projects do not fit into the Government's plan for industries; in the case of Banks and Insurance Companies if the places in which they wish to open business are already well served by existing companies or if the financial position of the company is unsatisfactory or if the company is not undercapitalised; and in the case of new air companies as the existing companies are considered to be sufficient for operating on the planned routes.

Mr. R. K. Sidhva: For these 62 new companies referred to by the Honourable Minister, may I know how much money has been actually subscribed and whether any of the companies are actually in operation?

The Honourable Shri K. C. Neogy: This information is not yet available. The companies concerned are expected to furnish information on these points within a particular period and we have to wait for a few months yet.

Pandit Lakshmi Kanta Mahtre: May I know from the Honourable Minister if in the grant of capital issues the question of regionalization of industries is the main consideration?

The Honourable Shri K. C. Neogy: That certainly is one of the considerations in respect of planned industries.

Pandit Lakshmi Kanta Mahtre: May I know who goes into the question of regionalization? Is it the Ministry of Finance or the Ministry of Industry and Supply or the Ministry of Commerce, or all together?

The Honourable Shri K. C. Neogy: All the various Ministries concerned have a say in this matter. They consider the proposal separately in the beginning, and then they have their inter-Departmental committee to scrutinize these applications.

Pandit Lakshmi Kanta Mahtre: Do I take it that whenever an application is made for grant of capital issues, the whole case is referred to the different Ministries concerned before the final order is issued?

The Honourable Shri K. C. Neogy: Oh, yes. Every Ministry concerned has its voice in the matter.

SALARY AND OTHER EMOLUMENT OF GOVERNOR-GENERAL

391. *Shri H. V. Kamath: Will the Honourable Minister of Finance be pleased to state:

(a) the present salary and other emoluments of the Governor-General of India;

(b) the total cost per mensem of the Governor-General's establishment; and

(c) whether any reduction is contemplated in the near future?

The Honourable Shri K. C. Neogy: The question will be answered by the Honourable the Prime Minister on a subsequent date.

Mr. R. K. Sidhva: Sir, on a point of Order. May I know whether the Governor-General's salary could be considered in this House, under the Independence Act?

Mr. Speaker: Information can be asked for.

NATIONAL SAVINGS SCHEME

392. *R. B. Lala Raj Kanwar: Will the Honourable Minister of Finance be pleased to state:

(a) when the National Savings Scheme was introduced;

(b) how much money has been collected from or invested in each Province and other large units in each year since the introduction of the scheme; and

(c) the details of the personnel appointed in each Province to carry out the objects of the scheme?

The Honourable Shri K. C. Neogy: (a) A separate organisation to develop the savings movement was set up in October, 1948.

(b) A statement (No. I) is laid on the table.

(c) The savings movement was recently re-organised and a statement (No. II) showing the sanctioned staff for the various Provinces is laid on the table.

Statement I

Showing sales of National Savings Certificates since the introduction of the scheme to 31st March, 1948 in thousands of rupees.

No.	Name	Year	Amount
1	Ajmer-Merwara	1943-44	1,05
		1944-45	8,42
		1945-46	9,00
		1946-47	8,55
		1947-48	6,58
	Total		33,60
2	Assam	1943-44	18,06
		1944-45	26,65
		1945-46	52,37
		1946-47	16,41
		1947-48	25,62
	Total		1,89,11
3	Bengal	1943-44	23,61
		1944-45	1,01,10
		1945-46	3,31,56
		1946-47	3,49,49
		1947-48	3,87,08
	Total		11,42,84

No.	Name	Year	Amount
4	Bihar	1943-44	2,44,04
		1944-45	1,90,85
		1945-46	54,78
		1946-47	22,26
		1947-48	28,24
	Total		5,40,14
5	Bombay	1943-44	59,00
		1944-45	3,56,35
		1945-46	6,73,97
		1946-47	6,46,02
		1947-48	7,34,68
	Total		24,78,92
6	C. P. & Berar	1943-44	1,33,61
		1944-45	47,83
		1945-46	49,63
		1946-47	56,06
		1947-48	56,91
	Total		3,43,55
7	Coorg	1943-44	30
		1944-45	92
		1945-46	2,48
		1946-47	2,19
		1947-48	4,22
	Total		10,11
8	Delhi	1943-44	8,20
		1944-45	95,80
		1945-46	55,40
		1946-47	50,96
		1947-48	58,95
	Total		2,61,31
9	Madras	1943-44	1,74,60
		1944-45	2,35,10
		1945-46	1,91,57
		1946-47	1,87,91
		1947-48	1,91,62
	Total		9,80,80
10	Orissa	1943-44	8,63
		1944-45	42,53
		1945-46	25,46
		1946-47	16,61
		1947-48	16,93
	Total		1,10,16
11	Punjab	1943-44	52,25
		1944-45	2,57,41
		1945-46	2,02,88
		1946-47	2,08,42
		1947-48	81,92
	Total		9,02,88

No.	Name	Year	Amount
12	U. P.	1943-44	47,97
		1944-45	95,08
		1945-46	1,28,66
		1946-47	2,15,28
		1947-48	2,44,15
	Total		7,31,14
13	Bangalore C. & M. Station	1943-44	..
		1944-45	..
		1945-46	11,74
		1946-47	10,37
		1947-88	8,32
	Total		25,33
14	Administered Areas in Central India	1943-44	..
		1944-45	..
		1945-46	8,56
		1946-47	5,04
		1947-48	86
	Total		14,46
15	Administered Area in Hyderabad	1943-44	..
		1944-45	..
		1945-46	4,08
		1946-47	1,35
		1947-48	81
	Total		6,22
16	Mount Abu	1943-44	..
		1944-45	..
		1945-46	15
		1946-47	19
		1947-48	6
	Total		34
17	Rajkot Civil Station	1943-44	..
		1944-45	..
		1945-46	3,96
		1946-47	6,17
		1947-48	2,51
	Total		12,64
18	Indian States	1943-44	50,78
		1944-45	2,99,51
		1945-46	3,96,40
		1946-47	2,62,34
		1947-48	2,12,31
	Total		12,21,34
Grand Total for Provinces, States and Adminis- tered Areas			89,62,79

Figures upto 15th August, 1947 relate to undivided India. After 15th August, 1947 figures relate only to the Indian Dominion.

Statement II
Showing the sanctioned staff for the various Provinces

STARRED QUESTIONS AND ANSWERS

445

Provinces	Provincial National Savings Officers	Pay Rs.	Deputy Provincial National Savings officers on Rs. 275-25- on Rs. 500-EB-160-40-20-650	Assistant National Savings Officers on Rs. 250	Upper Division Clerks	Organisers	Lady Organi- sers	Steno- Graphers.	Clerks Re. 55-3 35-1-50 35-EB 4-125- 5-130	Drafts 35-1-50 30-1-35	Peons 30-1-35
					Re. 80-5-120-8-200-10/2-220						
Bengal	1	600-40- -1,000-1,000- 1,050-1,050- 1,100-1,100-1,150 Do.	1	3	2	25	3	1	5	1	35
United Provinces	1	Do.	1	6	2	60	3	1	3	1	73
Madræs	1	Do.	1	5	2	35	3	1	3		47
Bombay	1	Do.	1	5	2	33	3	1	3	1	45
East Punjab	1	350-350-380- 380-30-590- E. B. 30-770 -40-890 Do.	..	2	1	20	3	1	4	1	26
C. P. & Berar	1	Do.		2	1	21	2	1	4	1	27
Bihar	1	Do.	..	2	1	20	2	1	4	1	26
Assam	1	275-25-600- E. B. 30-560	..	1	1	11	1	1	3	1	15
Orissa	1	Do.	..	1	1	6	1	1	3	1	10
Delhi & Ajmer-Merwara	1	Do.	..	2	1	3	3	1	5	1	16
Total	10		4	29	14	239	23	10	52	10	320

Seth Govind Das: In view of the fact that this organisation was set up in 1943 and many changes have taken place since then, has Government received any reports from various Provinces and is it contemplated to change this organisation in some way?

The Honourable Shri K. O. Neogy: As a matter of fact, I have already stated that the movement has recently been reorganised and I have placed on the table a statement giving the sanctioned staff for the various Provinces. As regards reports from the Provinces, I take it that such reports are available but I have not had any opportunity of looking into them.

Seth Govind Das: Are the Government of India receiving these reports periodically from the various Provinces?

The Honourable Shri K. O. Neogy: I am afraid I am personally not in a position to answer that question straightaway.

Prof. N. G. Ranga: Has any attempt been made to invoke the aid of any of the non-official organisations in the country in order to push this scheme through?

The Honourable Shri K. O. Neogy: Yes, this question is being very actively considered at the moment.

Shri B. P. Jhunjhunwala: Is it a fact that under the National Savings Schemes papers are given to the villagers which they are not in a position to preserve, with the result that they lose it and is it under the consideration of the Government that instead of issuing papers to them they are given such things which they can preserve and thereby get back the money at the proper time?

The Honourable Shri K. O. Neogy: I do not know whether this particular complaint has been examined by Government as yet, but if my honourable friend would be pleased to make any specific suggestions as to how to remove this complaint I would certainly consider it.

Shri Moturi Satyanarayana: Are the Government satisfied with the results obtained under this scheme, and if they are not what are the steps proposed for getting better results?

The Honourable Shri K. O. Neogy: I cannot say that Government are satisfied with the results so far. As a matter of fact this is one of the matters which we are considering at the moment, as to how to improve the working of this particular system.

Pandit Lakshmi Kanta Mahtia: Do I take it that the reorganisation of the National Savings Scheme was undertaken mainly as an anti-inflationary measure, and if so, may I inquire if in this process of reorganisation the opinion of Provincial Governments and trade industry was consulted?

The Honourable Shri K. O. Neogy: Well, I am afraid I should like to have notice of that question.

Shri Mahavir Tyagi: In view of the inflationary conditions that are prevailing in the country, have the Government any scheme to make forced savings?

The Honourable Shri K. O. Neogy: Yes, several schemes to that end are under consideration.

Prof. N. G. Ranga: Have Government been advertising these offices and their location where these certificates will be made available to the public?

The Honourable Shri K. O. Neogy: I am sure it will be done in due course.

NUMBER OF ORDNANCE FACTORIES AND SELECTION OF APPRENTICES

393. Shri V. O. Kesava Rao: (a) Will the Honourable Minister of Defence be pleased to state how many Ordnance factories there are in India and where they are situated?

(b) Are apprentices taken in all these factories and if so, what is the method of selection and the usual time of the year when the selections are made?

The Honourable Sardar Baldev Singh: (a) I would refer the honourable member to my answer to part (a) of Starred Question No. 780, asked on the 10th December, 1947.

(b) Apprentices are trained in certain selected factories where better facilities for training exist. Applications are invited by public advertisement and selection is made by the Director General of Ordnance Factories on the recommendation of local selection boards appointed for each of the factories where training is given. The boards interview candidates and test them by a written paper on general knowledge. This year the last date for receiving applications was August, 15th. and it is hoped to complete the selection by the 30th September. In future it is proposed to make selections by mid-June, every year.

Shri V. O. Kesava Rao: May I know the number of admissions this year?

The Honourable Sardar Baldev Singh: The number of admissions this year is about 120.

Mr. R. K. Sidhva: The Honourable Minister stated that there are certain places where better facilities prevail. May I know the places where better facilities prevail for the purpose of training?

The Honourable Sardar Baldev Singh: I have not got the information with me, but if the honourable member is interested I will get it for him.

Mr. Frank Anthony: Is it the Government's policy to maintain an increased or decreased production in these Ordnance Factories?

The Honourable Sardar Baldev Singh: It is always the intention of the Government to maintain production in accordance with requirements.

Mr. Frank Anthony: Is it a fact that several employees have been retrenched from these Factories?

The Honourable Sardar Baldev Singh: Some of them who were surplus to our requirements have been retrenched.

Pandit Lakshmi Kanta Maitra: Is it not a fact that a vast body of skilled and semi-skilled operatives of these Ordnance Factories have either been discharged or are in the process of being discharged?

The Honourable Sardar Baldev Singh: Up to now the instructions were that no skilled or semi-skilled workmen are to be discharged but the position has been re-examined and after a period of about a year we have now come to the conclusion that it is not possible to retain any longer those workmen who are surplus to our requirements.

Seth Govind Das: With respect to part (a) of the Question, are there not such Ordnance Factories even now in the country which are not working, and in view of the assurances given by the Honourable the Defence Minister in the last Session that they will start working very soon, will it not be possible to retain these skilled class of workers up to the time those Factories do not begin working?

The Honourable Sardar Baldev Singh: The case of all these skilled and semi-skilled workers will be examined before they are discharged, and all such workmen who are required to work those Factories which are idle or working part-time, will be employed in those Factories.

Lala Achint Ram: Are there any non-Indian workers working in these Ordnance Factories?

The Honourable Sardar Baldev Singh: I do not know what the honourable member means by "non-Indian" workers, but there are certain non-Indian officers.

Lala Achint Ram: Officers!

The Honourable Sardar Baldev Singh: Yes.

Lala Achint Ram: How many?

The Honourable Sardar Baldev Singh: I cannot give the information off-hand, but I can get it for the honourable member if he wants it.

Prof. N. G. Ranga: Are Government satisfied that this examination as to whether these people are needed or not—whether the Factories are worked or not—has been conducted to the satisfaction of the Defence Authorities?

The Honourable Sardar Baldev Singh: Yes, Sir.

Mr. B. K. Sidhva: May I know whether any educational qualifications are necessary for these recruits, and if so, what is the minimum?

The Honourable Sardar Baldev Singh: The minimum educational qualification is Matriculation.

Mr. B. K. Sidhva: Matric, Matric, everywhere Matric.

TRAINING OF PRINTERS

394. *Shri V. O. Kesava Rao: (a) Will the Honourable Minister of Education be pleased to state whether there is any proposal before the Government to start any college or Institute to train printers?

(b) Do Government propose to introduce this subject in any one of the existing or proposed higher technical institutes?

انریمل مولانا ابوالکلام آزاد : (a) گورنمنٹ آف انڈیا کے سامنے ایسی اس طرح کی کوئی تجویز نہیں ہے۔ ال انڈیا کونسل فور ٹیکنیکل ایجوکیشن کے ایک بورڈ نے پرنٹنگ اسکولوں کی ایک اسکیم بنائی تھی جو تمام پرائنٹوں کی گورنمنٹوں کو بھیج دی گئی ہے اور انہیں لکھا گیا ہے کہ اس طرح کے اسکولوں کے کھولنے کے سوال پر سوچ وچار کریں۔ اس اسکیم کی ایک کاپی ہاؤس کے ٹیبل پر رکھ دی جاتی ہے۔

(b) نہیں۔ کسی ایک انسٹی ٹیوشن میں اس کام کے شروع کرنے سے تمام ملک کی مانگ پوری نہیں ہو سکتی۔ یہی وجہ ہے کہ پرائنٹنگ گورنمنٹوں کے سامنے یہ بات رکھی گئی کہ اپنے اپنے پرائنٹوں میں پرنٹنگ اسکولوں کے کھولنے کا انتظام کریں۔

The Honourable Maulana Abul Kalam Asad: (a) No such proposal is at present under the consideration of the Government of India. The All India Board of Technical Studies in Applied Art of the All India Council for Technical Education has, however, drawn up a scheme for Printing Schools suited to the needs of this country and this scheme has been circulated to All Provincial Governments so that they may consider the question of establishment of Printing Schools within their jurisdiction. A copy of the scheme is placed on the table of the House for the information of the honourable member.

(b) No. The introduction of this subject in any one institution would not be sufficient for the needs of the whole country. That is why it has been suggested to Provinces to start Printing Schools.

ALL INDIA BOARD OF TECHNICAL STUDIES IN APPLIED ART

Scheme for a Printing School

PART I

THE NEED FOR TRAINING CRAFTSMEN IN THE PRINTING INDUSTRY

It is felt that one of the major problems facing the Printing Industry, at this time, is the number of craftsmen and the skill of the craftsmen. Both are numerically too small and can only be remedied by organised training.

In the present industrial way of life every person is a consumer of industrial products and some are both consumer and producers. Therefore if the aim of the education is to prepare one to live and to make a living, the educational programme must provide ~~and~~ general education for industrial consumer and secondly specialised education for the industrial producers.

Food and Textile industries are major industries and every person is a consumer of these products both of which are essential to the physical welfare of man. The printing and graphic arts industry is also a major industry and has practically 100 per cent. consumer value and is related to the mental development of man. These basic major industries therefore, should have an important place in our educational programme. This subject should be organized laboratories of learning in which the student is given an opportunity to develop his analytical and creative abilities, both mental and physical because the analytical and creative mind is essential to success in this industrial age. Education and industry are vital in the new conception of life. It will be well for us to experiment with a simplest type of equipment installed in a secondary school. This laboratory activity involves only the most elementary methods largely to hand type setting, hand fed presswork, hand bookbinding, printing from wood and linoleum blocks and new silk screen process. Students of 10-12 years one year about four hours a week trained for. This should have no direct trade training objectives.

We are on the edge of great expansion period. The later war has given printing a great impetus and the equipment manufacturers are swamped with orders. What are we going to do to man this equipment specially to raise the skill of the present personnel to take full advantage of the new developments.

In England there are many established printing schools in large towns fully equipped to give part time training to apprentices engaged in the trade and evening classes for those who are unable to be trained during the day.

Apprentices in busy works do not have the opportunity to concentrate on the particular subject, he wishes to specialise. The chief reason is because the man under whom the apprentice works, has no time to teach. He is on production work for his boss. The apprentice therefore, does errand work. If he is clever enough he picks up whatever he finds an opportunity to avail. Technical skill of apprentices can greatly be improved by systematic training guided by craftsmen teachers.

I have written to various printing schools in England for their prospectus and have made notes of each school from whom I have had reply. Notes are attached.

The average time for training varies from two to five years. For executive two years study would be sufficient. But we want more of craftsmen. Their training period may be 2 to 3 years full time and 5 years for part time apprentices drawn from the trade.

A student after completion of his course, will have the knowledge and much of the ability of a journeyman. Then on being absorbed in the trade he will use his tools in the right way. Speed and efficiency will develop further as time goes on.

The printing industry offers a great variety of opportunity of men to apply their inherent talents and acquired skill, most of the occupation requires better than average intelligence talent and education. Since printing is one of the most important industry serving all other industries it has a great influence on our social and industrial progress and on national prosperity. Because of this and the high wages it should pay, it is very satisfying field of work.

Now I will deal in types of jobs and qualification necessary.

Hand Composer.—The composer has to choose size and style of type faces. He sets type and spaces correctly. He often makes up pages with blocks, galleys, borders and ornaments. He corrects his own errors in it after proof reading. He also distributes the type and other elements that goes in the make up of the form.

Qualifications.—Must know the fundamental operations in type setting and be well informed on the art of Typographic display. He must have a good knowledge of English and spelling since he should be able to catch errors in the copy before setting the type.

Machine Compositor.—Linotype and Monotype must change, set, and adjust parts of the machine for setting lines of various lengths and thickness. Change magazines puts metals in pots. Operates Keyboard, has to clean spacebands regularly as well as other parts of the machine.

Qualification.—Although machine operation has a certain fascination for the average operator, it is a monotonous operation. He generally decides on the type faces to be used and very often has to operate from bad manuscripts. He should have good knowledge of type composition and display. He should be capable of correcting errors in spelling and grammar.

Pressman.—Oils press, keeps it in repair and adjusts press. Inks press and mixes ink to proper shades. Makes ready—adjust automatic feeders and delivery mechanism. Checks and controls drying of ink. Responsible for correct printing of the job—ink, alignment, and register of colours.

Qualifications.—Has to have good understanding of the mechanical movements of machines, considerable skill in its adjustments for correct operation. Must knowledge of ink, driers and various kinds of paper must be conversant with matching of colours, and take pride in having work clean, neat and accurate. Has to lift heavy forms and piles of paper. Good eyesight is essential.

Binder.—There is a great varieties of work—cutting, jogging, folding, padding, gathering, stitching, perforating, and bookbinding, marbling, printing on leather with gold.

Qualification.—Must be neat, clean and fast.

Photo-Camera Operator.—Photographs in artificial light original art work, type proofs, drawing. Mounts them in copy board adjusts camera and focus to the correct size, exposes plates or films correctly—and develops them.

Qualifications.—Must be familiar with photographic processes as applied to reproduction processes, colour vision. Previous experience in commercial photography is valuable.

Offset Pressman.—Makes ready and tend lithographing printing press. Installs plate on the machine, adjust pressure for proper printing adjust ink and water for correct operation, adjusts ink and water rollers, mixes ink operates press runs job : checks printed sheets at regular intervals, keeps press in good operating condition.

Qualification.—Several years experience required, familiarity with paper inks and offset presswork procedure is essential.

Printing industry craftsmen are mostly illiterate. Their pay was poor. Naturally educated men avoided the profession. We must look upon the graphic art education in different light. We must pay higher wages, we want more educated and mechanical minded men to learn this profession. There is plenty of scope for good printing, but we must go the right way to train them. We must create an opening for them in new profession in India. Good printing is essential throughout our lives. We must secure a place amongst printers of the world.

(A) *Size of Building.*—I have a rough plan of the building. The size of the building is approximately 6,875 sq. feet in each floor. There are two floors=13,750 sq. feet. Office, refectory and other necessary spaces have not been taken into account.

The Plan as laid out only is to give an idea. An Architect would be consulted. The chief requirement would be abundant day-light. This will contrast very markedly to new printing establishments where day-light never enters. If we are to dignified craftsmen & surroundings should be dignified.

(B) *Layout.*—Layout of the department has been made as observed in Leeds School of Printing when I was a student.

Printed copies are enclosed herewith for your perusal.

PART II
Equipment and their approximate prices
Linotype and Machinery Limited

Item No.	Description	Quantity Floor Space required	Approximate Price.		
			Rs.	A.	P.
1	Old Machine (Ex. Government of India Press). Old pattern will be used for mechanical demonstration and exercises.	1	4,000	0	0
2	Old Machine thoroughly overhauled and workable.	1	10,000	0	0
3	Linotype model 48 SM (new machine) Text and display single distributor machine for more advanced students	1	45,000	0	0
4	Linotype model 50 double distributor machine. the latest model for mixed type of Composition	1	45,000	0	0
5	Sundry materials and furniture and galley proof etc.	..	20,000	0	0
Total		..	1,24,000	0	0

Estimate for Monotype Section

Quotation of M/s. Monotype Eastern Co., Ltd. Ref. Hs/D/7 of 11. 2. 47.

Item No.	Description	Quantity	Price
			£ s. d.
1	One Monotype Composition Caster with Motor	1	....
2	One Keyboard	1	....
3	One Compressor	1	....
4	Four Founts of Matrices with accessories	..	....
5	200 Outside sorts Matrices	..	....
6	One Case Paper Spool	..	1,941 0 0
7	Two Extra Keyboards	2 @ £354 each	708 0 0
			2,649 0 0
8	Equipment for setting Devnagri, Hindi, and Marathi as per Monotype Co.'s Quotation No. Qs/39A of 11th February 1947	..	521 9 4
9	Monotype Super Caster with accessories as per Monotype Co.'s. Quotation No. S Q/40, dated 11th February 1947	..	1,813 18 4
			4,984 7 8
Say		£	5,000 0 0
Add 30% Packing C.I.F. Indian Port		£	1,500 0 0
			6,500 0 0
		₹ Rs. 14	Rs. 91,000 0 0
Sundry Furnitures and Fittings			Rs. 20,000 0 0
			Rs. 111,000 0 0

Estimate for Letter-Press Machine Section

Item No.	Description	Quantity	Space required	Approximate Price
				Rs. A. P.
1	L. & M. No. 4 Miehle	1	12 3/2 x 7 10 1/4"	43,000 0 0
2	Dawson Payne and Elliot Wharfedale Printing Machine Model SW2	1	8'-6 1/2" x 5'-4 1/2"	16,250 0 0
	Motor equipment for above			1,500 0 0
3	Chandler and Price Crown folio 15 x 10 'Craftsman'	1	8'-10" x 4'-10"	4800 0 0
	Motor equipment for above			500 0 0
4	Chandler and Price Demy folio 'Craftsman'	1	4'-7 1/2" x 5'-0"	6,060 0 0
	Motor equipment for above			500 0 0
5	Sundry Furniture			5,000 0 0
6	Other Sundries			5,000 0 0
7	Dawson Payne and Elliot 'Standard' 42" Self Clamp Guillotine	1	6'-3" x 4'-5"	10,600 0 0
	Motor equipment for above			1,500 0 0
Total				94,710 0 0

Estimate of Photo Process Section

Quotation of Pictorial Machinery Ltd. through M/s. Jhon Dickinson and Co., Ltd.

Item No.	Descriptions	Quantity	Approximate Price
			s. d.
1	Lithotex Process Camera size 20 x 20	1	116 5 0
2	Extra for Brass Binding Camera		19 5 0
2	Lithotex 16" Camera Stand	1	98 10 0
3	Copy Holder	1	22 0 0
4	Transparency Holder	1	21 10 0
5	Extra Dark Slide	1	26 5 0
6	Copy Board Arc. Lamp	1	66 10 0
7	Lens	1	63 10 0
8	Prism	1	50 0 0
9	Colour Filters (Set of 5)	1	48 0 0
10	Circular Screen	1	112 0 0
11	Holder for Screen	1	32 0 0
12	Printing Down Frame	1	128 15 0
13	Plate Coating Machine	1	179 10 0
			£ 300979 0 0

Say \$1000 Add 20% for packing, freight, insurance etc. £1,300

@ Rs. 14 per £.....Rs. 18,200.

Approximately Rs. 20,000.

Estimate of Plant and Machinery

Quotation of Hunter-Pearce Ltd. Ref. No. PAB/EMS Dated 1st May, 1947

Item No.	Description	Quantity	Approximate Price
			£ s. d.
1	15+12 Process Camera	1	80 18 6
	Extra Dark Slide	1	18 5 6
2	H. P. Girder Stand	1	78 17 0
3	Lens	1	51 0 0
4	Prism	1	42 11 6
5	RADIAL Indicator	1	7 10 0
6	Arc Lamps	1 set	59 0 0
7	Screen 80 lines	1	32 10 0
8	Screen 65 lines	1	32 10 0
9	Filters	1 set	5 2 6
10	Filter Holder	1	7 10 0
11	Soaking Trough		10 10 0
12	Dishes 20×16 Porcelain	2	8 0 0
13	Dishes 15×12 Porcelain	2	2 16 6
14	Dishes 12×10 Porcelain	2	1 8 0
15	Dishes 10×8 Porcelain	2	0 19 0
16	Dishes 9×7 Porcelain	2	0 14 0
17	Dishes 20×16 Enamelled	2	5 0 0
18	Dishes 15×12 Enamelled	2	3 12 6
19	Dishes 12×10 Enamelled	2	1 12 6
20	Dishes 8×10 Enamelled	2	1 5 0
21	Dishes 9×7 Enamelled	2	1 1 6
22	Process Printing Frame 16×13	1	9 1 6
23	Process Printing Frame 11×9	1	5 19 6
24	Process Printing Frame 11×13	1	7 9 6
25	H. P. Whirler Gunmetal	1	3 7 6
26	Levy Whirler	1	10 7 6
27	Etching Machine	1	211 5 0
28	Rocked Bath	1	165 0 0
29	Dragons Blood Brushes	2	4 4 0
30	Plate Tongs	2	1 6 0
31	Shading Medium Holders	1	36 3 6
32	Shading Medium to choice	12	28 10 0
			1,035 7 0

Add 20 per cent. for Packing, Freight and Insurance etc.

310 10 0

1,345 17 0

@ Rs. 14 per f. Rs. 18,844.

Approximately
Estimate of M/s. Pictorial Machinery Ltd.
Cost of Sundries, Furniture and Fittings

Rs. A. P.
20,000 0 0
20,000 0 6
20,000 0 0

Total 60,000 0 0

Lithographic Machinery Section.

Quotation of Messrs. John Dickinson & Co., Ltd.

Item No.	Quantity	Description	Floor space required	Approximate price.
1	George Mann Demy Fast three machines	1	12'—3" × 6'—3"	Rs. A. P. 26,475 0 0
	HTB Feeder for above	1		9,155 0 0
	Motor equipment for above			2,725 0 0
2	Broadway Transfer Press Double Demy	1	7'—11" × 5'—6"	4,200 0 0
	Motor equipment for above			1,500 0 0
3	George Mann Plate Graining Machine Quad crown size	1	5'—4" × 3'—9"	2,715 0 0
	Motor equipment or above			750 0 0
Total				47,520 0 0

Estimate of Book Binding Section

Item No	Description	Quantity	Space required	Price
				£ s. d.
1	Model S Double Section Folding Machine Size 20 × 30	1	5' × 7'	336 0 0
	Motor for above	1		60 0 0
2	John Saw Single Sider Disc Ruling Machine Model A5 or hand feeding—32 × 32.			*436 0 0 Rs. A. P. 5,080 0 0
	Motor for above			500 0 0
3	Book Sewing Machine			15,000 0 0
4	Perforating Machine			4,500 0 0
5	Stitching Machine—Vickers			1,500 0 0
6	Gold Blocking Machine			5,000 0 0
7	Screw Press			2,500 0 0
8	Pallets			.. ..
9	Brass Types			.. ..
10	Handles			.. ..
11	Rolls			.. ..
12	Glue Pots			.. ..
13	Other Sundries			10,000 0 0
14	Furniture and Tables etc.			5,000 0 0
Total			Total	49,080 0 0
		£436 0 0		
	Add 20 percent for packing and freight etc.	£88 0 0		
		£524 0 0		
	@Rs. 14			7,336 0 0
				56,396 0 0

Approximately Rs. 60,000.

(d) *Teaching Staff with qualification*—Under this we would need a full time Educational Director with knowledge of Photographic and Printing Processes. Skilled Craftsmen in their particular subjects are to be instructors. It will be found that craftsmen make the best teachers.

Composing Section	Two Teachers.
Linotype Section	One teacher.
Monotype Section	One Teacher.
Letter-Press Machine Section	Two Teachers.
Photo-Engraving Section	One Teacher.
Photo-Lithography Section	One Teacher.
Litho Machine Section	One Teacher.
Book Binding Section	One Teacher.

Coating, Estimating and English for printers can conveniently be managed by one teacher.

The greatest problem now is the selection of teaching staff. These persons may be drawn from the trade and set out abroad for a teachers training course or drawn of the students who has been trained in the advanced studies overseas. The scheme of the Government of India Department of Education. In some of the departments namely Photo-Litho and Litho Printing section experts be selected from overseas.

PART III

LEEDS COLLEGE OF TECHNOLOGY

Department of Printing and Photography

Staff of Department—

1. Head of Department.

Teaching Staff—

2. Six Instructors.

Full time Day course—

The following courses have been arranged for training the sons of Master Printers and others who are desirous of attaining ultimately administrative or executive positions in all branches of printing and allied trades :

- (1) Degree course in conjunction with University of Leeds extending over 3 or 4 years for those wishing to combine University degree with technical instruction in this department.
- (2) Diploma course—extending over one year for those who have obtained the Bachelor of Commerce degree.
- (3) Technological course—for College diploma either Letter-press or Photographic Process.

This College diploma is awarded to those students who have had minimum course of two years full time instruction in either subjects and satisfactorily pass prescribed examination on completion of their course.

- (4) Special courses—for those qualified in any selected branch of the trade.
- (5) Special investigation and Research courses on trade problems.

Equipment

Composing rooms equipped to accommodate 26 compositors with adequate supply of types, materials and proof presses.

Monotype room have five 'D' Keyboards and one 'DD' Keyboard.

Casting room is equipped with composition caster and super caster. This equipment provides with materials for the composing room over and above casting solids of the keyboard operation.

Linotype room has installation of five machines, among them being model 4 and model 48 SM all electrically controlled.

Letter-press machine room has a very comprehensive plant including a range of platens, two Wharfedales, a Centurette, a No. 4 Michle and No. 6 Michle fitted with automatic feeder.

The block making room contains a very modern plant including beveller, router, planer, metal saws, etc.

The Lithographic section is fitted with representative plant and includes a flatbed machine, two rotary offset presses, hand and power proving presses, copper plate press, galvaining machine and a flat plate gravure machine.

The book-binding section contains materials for binding of all kinds and includes perforating folding, wire stitching, paging, guillotine, blocking press, pen and disc ruling machine.

The camera room consists of latest cameras, lamps, lenses and prisms and all other apparatus for the production of negatives and positives for modern reproduction processes.

The Etching department is fitted with 'Mark Smith' etching machines for zinc and copper, hot plates and all necessary auxiliary equipments.

Terms and Hours

The year is divided into 3 terms.

The classes meet each day 9 A.M. to 12.30 P.M. and 2 to 4.30 P.M.

Fees

Typographical	... £ 12/15 per term.
Photographic Process	... £ 15/15 per term.

London School of Printing

Staff—

1 Principal.

1 Deputy Principal.

30 whole time teachers covering the whole section of printing and general education.

26 part time teachers.

Whole time day courses. Employers' sons and others who will later on be taking up posts of responsibility, are given a thorough practical grounding in the operation carried on in all departments. Practical work is supplemented by detailed lectures, students thereby acquire understanding of the possibilities and limitations of every process. Series of educational visits are also arranged for visiting works of well known printers, book-binders, process engravers, machinery manufacturers, ink makers, paper mills newspaper offices.

Students must be sixteen years of age. Normal duration of this course is three years. A shorter period of not less than two years may be arranged for in exceptional cases.

Reports on work, progress and attendance are issued in each term, examinations are held at the end of each session and a course diploma is granted to students attaining satisfactory standard in all subjects.

Various subjects are grouped in their respective sections as follows:

Section A.—Hand composition, Linotype, Intertype and Monotype operation, Typographic Designing, Proof correction.

Section B.—Letter press machine work, (Platen and Cylinder), Printing machines assistants work; Newspaper Rotary work; Press proving; Photogravure printing.

Section C.—Lithographic drawing and retouching; Lithographic printing; Photo Lithography; Graphic reproduction.

Section D.—Hand and machine book-binding, machine ruling and warehouse work.

Section E.—Electro-typing and Stereotyping.

Section F.—Science for printers; Paper technology; Printing ink technology; Ink and roller-maker's assistant's course, Metallurgy; Electro metallurgy; Printing mechanism.

Section G.—Orders clerks work; Estimating; Industrial administration; Stationer's assistant's work; Book and Magazine production.

LONDON COUNTRY COUNCIL

School of Photo Engraving and Lithography

The work of this school falls into three closely related groups, namely:

- (1) Technical Photography.
- (2) Commercial Art.
- (3) Photo Engraving.

In photographic class complete instruction is given in the theory and practice of photography.

In the Art department students are taught to appreciate the technical requirements of the engraving and printing processes. They learn to draw and design having regard to the Print as a finished product. They see the reproduction process in operation and the manner in which their work is reproduced.

Complete theoretical and practical instruction is given in all branches of Photo Engraving. The equipment is complete for line and halftone block making in monochrome and colour.

Lithographic drawing is practised in close relationship with Photo Lithography and the work of the Art department.

Art students are encouraged to practice Lithography.

Students are not bound to follow any set course but may subject to the guidance of the Principal and Staff, specialise in particular direction most suited to their requirements.

Special arrangements are made for students proposing to sit for City Guilds London Institute examination for Photo Engraving.

North Western Polytechnic (Printing Department)

This school has a printing department where letterpress section is only taught, namely—

- (1) Hand composing.
- (2) Letterpress machine work.
- (3) Linotype and Intertype.
- (4) Monotype.
- (5) Book binding and Warehouse.
- (6) Costing and Estimating.

Day Class (part time).—These classes are intended to be supplementary to the workshop and to afford facilities for apprentices to receive an all round training, which are essential if they are to become efficient craftsmen, which is not always possible to secure in a busy works.

Syllabus of the City and Guilds of London Institute is followed.

Evening Class.—The evening classes provide technical training of the employees who cannot be released in the day time. Students must be 18 years of age for admission in the mechanical composition classes.

Equipments.—The composing room is furnished with a large and varied assortment of modern book and jobbing founts, wood-letter, brass rule, borders, etc., together with necessary type cases, all steel composing cabinets and make up racks, imposing surfaces, Vandercook cylinder and Albion proof presses and other items of modern composing room.

Letterpress Machine.—The equipment includes a Double Demy Miehle, a Double Demy Wharfedale, a Demy Miehle with built in automatic feeder, modern makeready desk mechanical overlay and underlay apparatus steel unit mounts, parker mounting boards Heidelberg automatic, Victoria, Phoenix and Arab platens.

Linotype and Intertype a model 48 Linotype with aide magazines fitted with automatic quadding and centering device; a model 4 Linotype; and a standard Intertype with side magazines autospacers, etc.

Monotype.—The Monotype equipment consists of two keyboards with a composition caster and display type caster.

Book-binding and Warehouse—consists of folding book sewing, power wire stitching, blocking press, guillotines, etc.

LONDON COUNTRY COUNCIL *Camden School of Arts and Crafts*

This school has varied Arts and Crafts course of which—

Typography, Book-binding and Letterpress machine minding are among the subjects taught. The aim of the typography department is to inculcate and maintain the highest standard of design and craftsmanship in the practice of printing.

Classes are held everyday and evening and instruction is offered covering the following branches of letterpress printing.

Compositor's work, Practical and theoretical Typographical layout, Linotype, Practical and theoretical, Monotype Keyboard and Caster, Machine minding—practical and theoretical, Estimating, Costing, General education, English for printers and book production.

Students are prepared for the examination of the City and Guilds of London Institute and the Stationer's Company and Printing Industry Technical board.

Part time Day Classes for Apprentices

Employers are invited to allow their apprentices to attend part time Day classes which are intended to supplement the workshop and to give the training which is not always possible in the printing offices.

Day students are advised to continue their studies in the evening.

LEICESTER COLLEGE OF ARTS AND CRAFTS

School of printing

Course of instruction are arranged in close conjunction with the Leicester Master Printer's Association.

Efficient technical instruction in all subjects aims at the development of high standard of craftsmanship. Workshop practice is supplemented by a study of fine workmanship. The school of printing works in closest association with the other departments of the School of Industrial Design of which it forms a part. Visits to printing offices and other works are arranged so that students can see the latest types of equipment and be aware of contemporary developments. Hand composing theory is spread over a 4 years course leading to the college diploma and to the City and Guilds Final Examination in Typography.

Mechanical composition—namely Linotype and Monotype course of instruction is spread over a period of 3 years. Letter-press Machine instruction covers a period of 4 years.

Lithographic printing.—This course is covered in 3 years.

Courses for Master Printer's sons

Special day courses are arranged for sons of Master Printers and others who wish to qualify for administrative post. Each course is arranged to suit the individual.

Courses for Prospective Teachers of Printing

The college offers special facilities for those who propose to qualify as specialist teachers of printing subjects.

PART IV

Hand Composing Section

Syllabus.—Planned three year Course.

1st Year.—The lay of the case; fundamental principles of spacing; method of making up the stick; setting, proofing, distribution, the point system and its application, Composing room materials and equipments, names of parts of type, Grouping of types; three main printing processes, proof readers correction marks, spelling, punctuation and word division. Composing room calculation; table and tabular work, sizes of paper and sub-divisions. Principles of imposition, Parts of Books, Signatures, dressing, locking up small forms, description of Typesetting constitution of a fount of type.

2nd Year.—Bookwork, dimensions of printed page and margins, methods of binding and their effect on imposition, casting-off copy—on method, brief description of stereotyping and electrotyping, casting-off copy solid and leaded, determining size of type to fill a given area. Brief description of Intertype, Linotype, Monotype and Ludlow machines and their utility. Brief outline of the making of line, half-tone and colour blocks.

3rd Year.—Casting-off copy for hand and machine set type, including wide and narrow type faces, description of modern room composing equipment, factors in planning and arrangement, capacity of mechanical composing machines. Papers, Federation of Master Printer's costing system, general principles of estimating for jobbing and book work. Co-operation between department.

Students must be matriculate for the above course.

Linotype Composing Section

Syllabus.—Two Year Course.

(Applicants with proficiency in hand composing can only be admitted.)

1st Year.—Explanation of different models, correct fingering, care and cleaning of matrices and spacebands, different keyboard layouts, keyboard mechanism, magazine, magazine escapements; spaceband box, spaceband release, assembling mechanism; delivery slide; delivery channel; main cams; different types of moulds; changing measures; magazines, etc.; constituents of metal and working temperature; simple adjustments.

2nd Year.—Instruction on the automatic process of Linotype; the driving clutch; First elevator carriage and slide justification; automatic safety stop; vice frames; moulds; metal pot, line casting section; line transfer; ejection; trimming knives; matrix distribution use of micrometer; working adjustments and modern machine features.

*Monotype Section**Monotype Keyboard*

(Applicants with proficiency in hand composing can only be admitted. A full time course of one year for compositors, who want to take up jobs as keyboard operators.)

Syllabus.—

Basic principles of the Monotype systems, demonstration of the keyboard, aided by plans of the various movements caused by the depression of the key, the unit and the set; their significance and application. Key-board layouts, reading perforations; justification keys and their effect on the wedges. Uses of justification drums; increasing and decreasing the size of drum; tabular work—from single two column composition to tables with box headings in smaller type; allowance for vertical rules in tabular work, letter spacing; factor tables. The advantages of Monotype versatility.

*Monotype Section**Monotype Caster**Syllabus.—*

Basic principles of the Monotype System; working principles; plant and equipment necessary for an installation, cleaning and care of plant and equipment, essentials of hand composing, perforated ribbon and punch index plate. Monotype system of type measurement; set; and application of set; care and adjustment of moulds; matrix case layouts; typewriter composition, large type composition, how the justification of line is obtained; mechanical description of the caster; adjustment of the caster. Methods of locating faults; management of super casters; the keyboard in relation to the caster; work of the keyboard operator, Elementary metallurgy. Display type casting, head and furniture, casting of the super caster.

*Letterpress Machine Section**Syllabus.—Planned for 3 year course.*

1st Year.—Hand press work; covering a hand press tympan description of wood and metal furniture; locking up of formes and materials used; type cleaning washes; cleaning of type formes blocks. Oiling of machines and care of oiling, system of oiling, locking up of formes for platen machine, use of suitable materials for security; method of dressing platen, platen and press make ready, standard sizes of paper, boards and their sub-divisions, sizes of cut cards, chases, care of rollers, readers correction marks; outline of the point system, various types of lays and their suitability, fixing friskets; different kinds of mechanical quoins components and manufacture of letter press inks; make ready of line blocks; roller making and materials used. Embossing of platen machine. *

2nd Year.—Mechanism of slop cylinder machine, their care, management and adjustment, setting of rollers and distributors on cylinder machine, selection and suitability of materials for cylinder dressing. Schemes for imposition of 16, 24 and 32 pages, sheet and half sheet work, preparation of half tone blocks, underlaying and interlaying; hand cut and mechanical overlays.

3rd Year.—Construction of two revolution machine, vertical cylinder machines. Automatic platens, care and adjustment of these machines and the types of work suitable for these machines. Imposition schemes in conjunction with machine folding; paper difficulties encountered on the run, namely creasing, plucking, set off, defective register—probable cause and how to avoid; preparing formes containing type and blocks mechanical overlays; Printing two colour and three colour half tone blocks, running various classes of work on different types of machines, Use of dockets.

Photo Process Section

(Students must be matriculate)

*Camera Operation**Syllabus.—Two Year Course.*

1st Year.—The study of camera procedure, lighting, focussing proportional size factors, halftone screens, chemical formulae, wet plate process, dry plate process. Line negatives on wet plates, dry plates and film. Halftone negatives, modern dark room cameras, study of lens and prism, stops, camera extension, standardization in photo negative making; Two colour, three colour and four colour halftone negative making. Use of filters.

Metal Printing and Etching Operation

2nd Year.—Modern method of printing on metals by albumen, glue, cold enamel solution on zinc and copper. Combination line and half tone print; colour line and the use of mechanical shading medium; Reversal methods; negative stripping. Line Etching. Powdering rolling up halftone etching, Fine etching, colour etching. The use of colour ~~charts~~. Routing; mounting and engraving,—proving.

Photo Lithography

Syllabus.—Two Year Course.

1st Year.—The principles of Lithography; study of Lithographic printing surfaces, Stones, Zinc and Aluminium plates, Line work, Halftone work, colour separation, stripping, sensitive materials, Determining exposures, Determining slopes in relation to extension, Effect of developers, Effect of temperature, Fixing, Retouching negatives, Dot etching, Making positives by contact and camera.

2nd Year.—Albumen and Deep Etch plate making, Graining of zinc plates; materials used in graining; the need of graining. Litho artist work on plate, taking set off, mechanical tinting hand stippling, transferring, patching up-photo composing machine. Preparation of plates prior to printing.

Lithographic Machine Section

Syllabus.—Two Year Course.

1st Year.—Early craft history; Lithographic stones, preparation of stone and plate to receive work; Basic of Lithographic printing; properties and use of common materials, tools and equipment. Press construction; Transferring; simple patching up grained stones; treatment of chalk work; keys and set offs. Offset blankets, rollers and their adjustments; setting of rollers, setting ink fountain, inking up of press; pulling an impression, making adjustment and pulling second sheet; pressure adjustment in relation to cylinder bearers, Gripper adjustments; lubrication of press. Packing of cylinders, clamping plate on the machine, cleaning damping rollers; washing up of press. Cleaning forme rollers. Removing plate.

2nd Year.—Press check up, Paper conditioning, offset blankets, make ready, Press operation, preparing ink, driers, varnishes, Tints, matching colours, registration of colours. Paper distortion, packing cylinders, patching up for even impression. Press troubles and their remedies. Feeder their setting, timing. Electrical system, chemicals and their use and abuse. Paper characteristics, drying problems of ink. Printing halftone work. Printing colour work. Study of camera negative making and its printing on metal for press operation.

School Library

1. The Art and Practice of Typography by The Oswald Publishing Coy. New York. Edmund G. Gross.
2. Practical Printing (2 vols) by T. South. Raithby Lawrence.
3. Modern Printing (2 vols) by T. South. ward.
4. Modern Methods of Book Composition The Oswald Publishing Co., New York. by T. L. Devienne.
5. The Linotype. The Linotype Machinery Ltd.
6. The Monotype 'D' Keyboard Tho Lanaton Monotype Corpn.
7. The Operating of Monotype Keyboard
8. The Monotype Caster Instruction for running and adjustment.
9. What a compositor should know (3 vols) Barough Publishing Co., 132, Church Road, N. 1 London.
10. Imposition by F. J. Tresise The Inland Printer Chicago.
11. Rules for compositors and readers at the Oxford University Press. Horace Milford.
12. Punctuation and the style of the House by Harry Whelton. Raithby Lawrence.
13. Stonework How and Why by Vernon Rossueti.
14. The Principles and Practice of Newspaper make up by T. E. Naylor.
15. Modern Press work by Fred W. Gage The Inland Printer

16. Printing Ink by Frank Wiborg	Harper Brothers New York.
17. The Chemistry and Technology of Print. ing Inks by Underwood and Sullivan.	Constable.
18. Practical Bookbinding by Paul Adame	Scott and Greenwood.
19. Bookbinding and its Auxiliary Branches	
20. Bookbinding Craft and Industry by Harrison.	Pitman's.
21. The Text book of Paper Making by C.F.Cross & E. J. Beven.	Spon.
22. The Manufacture of Paper by R. W. Sindall.	Constable.
23. Offset Lithography Warren C. Brown	The National Lithographers.
24. The Art of Lithography by H. J. Rhodes.	Scott and Greenwood.
25. Practical Notes on Stereotyping and Electrotyping.	Raithby Lawrence.
26. Zinc PhotoEngraving by William Gumble.	Percy Lund and Humpheries.
27. Estimating	British Federation of Master Printer.
28. Costing	

Number of Students that can be trained.

(a) Composing Section	24 students.
(b) Linotype Section	8 students.
(c) Monotype Section	8 students.
(d) Letter.press Machine Section	10 to 12 students.
(e) Lithographic Machine Section	10 to 12 students.
(f) Photo-Litho Section	8 students.
(g) Photo.Engraving Section	8 students.
(h) Binding Section	12 students.

88 to 92 students.

(g) Standard intended to Reach.—

The students should pass the examination of the City and Guilds London Institute or a committee be formed of Printers to set a standard of examination under different sections.

(h) Likely Employment in the Trade.

From the questionnaire sent out I gather that every assurance is given of their being employed from printers in Calcutta and Bombay.

BUDGET

The Summary of Cost of Equipments :

	Rs.	A.	P.
(1) Hand Composing Section	80,000	0	0
(2) Linotype Machinery Section	124,000	0	0
(3) Monotype Section	111,000	0	0
(4) Letter.Press Machine Section	94,710	0	0
(5) Photo Process Section	60,000	0	0
(6) Lithographic Machine Section	47,520	0	0
(7) Book Binding Section	60,000	0	0
	<u>577,230</u>	<u>0</u>	<u>0</u>
Building	300,000	0	0
	<u>877,230</u>	<u>0</u>	<u>0</u>

Ten Lacs should be ample Income.

(a) Fees to be charge of students.

(b) The company should pay for this if he is employed.

(c) A group of printers in the city where the school is located should underwrite a portion of maintenance cost annually.

Expenditure—

In the way of salary for staff, etc. it is best left to more competent person to decide.

سےٹ گوویند داس: کیتنے دین اس بات کو ہوا جب یہ پروتاہہ ہینن ہینن پرائنٹوں کو ہنجا گیا تھا اور اس کے باء اس سمبندھ میں کیا گورنمنٹ نے پرائنٹوں کو سرکاروں سے کوء سنا ہے؟

Seth Govind Das: How many days have passed since this scheme was circulated to the various Provincial Governments? Have Government heard anything in this connection from the Provincial Governments?

آنریبل مولانا ابوالکلام آزاد: تھیک تاریخ اس وقت میرے سامنے نہیں ہے۔

The Honourable Maulana Abul Kalam Azad: I have not got the exact date at the moment.

سےٹ گوویند داس: کیا گورنمنٹ آف انڈیا کے اس سکیم کو ہنجنے کے باء کسی پرائنٹری سرکار نے اس سمبندھ میں گورنمنٹ کو کوء لکھا ہے؟

Seth Govind Das: Have any of the Provincial Governments written to the Government of India anything in this connection after the circulation of this scheme?

آنریبل مولانا ابوالکلام آزاد: جہاں تک مجھے معلوم ہے۔ ابھی تک پرائنٹوں سے کوئی اس طرح کی چیز نہیں آئی ہے۔

The Honourable Maulana Abul Kalam Azad: So far as I am aware of no such communication has been received from the Provincial Governments.

سےٹ گوویند داس: تو کیا گورنمنٹ پرائنٹوں کو لکھگی کہ اس کے باء پرائنٹوں نے کیا سوا ہے، اس سکیم کو ہینن ہینن پرائنٹوں میں چلانے کے لیے؟

Seth Govind Das: Will Government enquire from the various Provincial Governments in regard to their decision for the introduction of this scheme?

آنریبل مولانا ابوالکلام آزاد: ہاں۔ گورنمنٹ اس بارے میں کاروائی کریگی۔

The Honourable Maulana Abul Kalam Azad: Yes. Government will take necessary action in the matter.

شری دیش بندھو گپتا۔ جہاں تک کہ دہلی کا تعلق ہے۔ چونکہ وہ ایک سنٹرلی ایڈمنسٹریٹڈ ایریا (Centrally Administered area) ہے۔ کیا گورنمنٹ اس بات پر غور کریگی کہ اس طرح کی درسگاہ یہاں قائم کی جائے؟

Shri Deshbandhu Gupta: So far as Delhi Province is concerned, will Government please consider to start such an institution here, as Delhi is a Centrally Administered area?

آنریبل مولانا ابوالکلام آزاد: ہاں گورنمنٹ غور کریگی۔ مگر کسی بات پر غور کرتے ہوئے بہت سی باتوں پر غور کرنا پوتا ہے۔ صرف اک ہی پہلو پر غور کرنے سے معاملہ کا فیصلہ نہیں ہو جاتا۔

The Honourable Maulana Abul Kalam Azad: Yes. Government will consider. But while considering over a particular issue, it has to look to many aspects. No decision can be arrived at merely by looking to one side of the matter.

Shri V. C. Kesava Rao: May I know whether any printers are trained in the Central Polytechnic at Delhi?

آنریبل مولانا ابوالکلام آزاد: نہیں۔

The Honourable Maulana Abul Kalam Azad: No.

SEPARATE EXCISE COLLECTORATE FOR ASSAM

†395. *Srijut Kuladhar Chaliha: Will the Honourable Minister of Finance be pleased to state:

(a) the amount of Excise revenue derived from (i) tea; (ii) petrol; (iii) kerosene oil and (iv) matches from Assam;

(b) whether Government have established a separate collectorate at Shillong and if not, the reasons therefor;

(c) whether Government are aware that Calcutta Collectorate is still exercising supervision over the Shillong Collectorate;

(d) whether Government are aware that Officers for Assam are being appointed from Calcutta, which is causing discontent; and

(e) the number of Officers so appointed?

The Honourable Shri K. O. Neogy: (a) The Central Excise revenue collected during the period from the 1st April 1948 to the 31st July 1948 from tea, motor spirit, kerosene and matches in the province of Assam is Rs. 133, 40, 6 and 16 lakhs respectively.

(b) A separate Central Excise Collectorate for Assam has been set up with headquarters at Shillong since 1st April 1947.

(c) The Collector of Central Excise, Calcutta, is exercising supervision over the Shillong Collectorate, pending the appointment of a separate Collector for the latter Collectorate.

(d) and (e). Since 1st January 1948, four officers have been transferred to the Shillong Collectorate from the Calcutta Collectorate. Previous to this date, the Shillong Collectorate was a separate charge under the Commissioner of Income-tax, Assam, and the question of transfers from Calcutta Collectorate did not arise.

RE-EMPLOYMENT OF EX-I. N. A OFFICERS AND MEN

†396. *Srijut Kuladhar Chaliha: Will the Honourable Minister of Defence be pleased to state:

(i) the number of ex-I.N.A. officers who are still unemployed; and

(ii) the number of ex-I.N.A. men who are still unemployed, and whether steps have been taken to re-employ them?

The Honourable Sardar Baldev Singh: (i) The number of ex-I.N.A. officers and men still unemployed is not known to Government.

(ii) As regards the steps taken by Government to provide these personnel with employment, I would invite the attention of the honourable member to the statement made on the floor of this House by the Honourable the Prime Minister on the 29th March 1948. No stigma attaches to them now on account of their association with the I.N.A. and they can use the Government Employment Exchange machinery and such other assistance for settlement in civilian life as is being provided by the Central Government. An Officer in the Defence Ministry has been specially designated as Liaison Officer and entrusted with the task of helping ex-I.N.A. personnel to find employment.

CONFIRMATION OF WORKERS IN ORDNANCE FACTORIES

397. *Shri Damodar Swarup Seth: Will the Honourable Minister of Defence be pleased to state:

(a) whether in the Ordnance Factory service, any time limit is fixed as to after how many years of temporary service a worker may be made permanent;

(b) whether it is a fact that in several factories workers have not been made permanent even after eight years of temporary service?

†Answer to this question laid on the table, the questioner being absent

The Honourable Sardar Baldev Singh: (a) No, Sir, but a proposal to make a certain proportion of workers permanent after they have rendered satisfactory service for a period to be prescribed is under consideration.

(b) Yes.

Prof. N. G. Ranga: How is it, Sir, that Government have been taking such a long time over fixing this prescribed period?

The Honourable Sardar Baldev Singh: The case of workers in the Ordnance Factories is quite different. At certain times our requirements are at the highest and at other times our requirements are very low. That is why it always takes a longer time to decide the cases in the Ordnance Factories than elsewhere.

Prof. N. G. Ranga: Is any preference shown to those who had previously been employed when recruiting more workers?

The Honourable Sardar Baldev Singh: Yes, Sir. Preference is given to those who have served in the Ordnance Factories.

Seth Govind Das: Is it not a fact that in certain cases, older employees are still kept in temporary service and those employed at a later date have been made permanent?

The Honourable Sardar Baldev Singh: Just possible that in certain cases this may have happened. It all depends upon the vacancy in different ranks. If the vacancy is in the higher ranks, then of course it is going to be a permanent appointment, but if the vacancy is in temporary rank, then the case is different.

Seth Govind Das: Is it not a fact that what I have just said is true in many factories in the same Branch, not in different Branches?

The Honourable Sardar Baldev Singh: According to information available, it is not so, but if the honourable member will bring to my notice particular cases I will look into them.

AGE LIMIT FOR RETIREMENT OF MINISTERIAL GOVERNMENT SERVANTS

398. *Shri Damodar Swarup Seth: Will the Honourable Minister of Finance be pleased to state:

(a) whether it is a fact that upto June, 1948, the ministerial servants employed in the various accounts offices under the Auditor General of India were not allowed to continue in service after the age of 55 years except in very special circumstances;

(b) whether the orders regarding the retirement of ministerial Government servants at the age of 55 years are still in force;

(c) whether it is a fact that the Director of Railway Audit, acting on some instructions of the Auditor General of India has since issued instructions to his subordinate offices not to retire employees attaining the age of 55 years except under disciplinary action; and

(d) whether the orders issued by the Director of Railway Audit referred to in part (c) above have the sanction of the competent authority?

The Honourable Shri K. O. Neogy: (a) Yes, upto August 1948.

(b) The rule prescribing the age of retirement of ministerial Government servants was being generally interpreted as requiring such a servant to retire at the age of 55 years until August 1948, when the Auditor General decided that such a practice was *ultra vires* of the rule and inconsistent with Section 240(3) of the Government of India Act 1935. Accordingly he issued instructions to the offices under his administrative control permitting retention of such personnel in service subject to their personal efficiency till they attained the age of 60 years. Subsequently the same ruling was given by the Advocate General of India and general instructions to all Ministries in the light of the ruling are now under issue.

(c) and (d). Yes, as explained in the reply to part (b).

CULTIVATION OF POPPY IN INDIAN STATES AND SMUGGLING OF OPIUM INTO ASSAM

†399. ***Srijut Kuladhar Chaliha**: Will the Honourable Minister of States be pleased to state:

(a) whether the cultivation of poppy is still going on in the States of Central India and other places and whether any policy of gradual reduction is going to be adopted;

(b) whether poppy juice is still being sold by the States to the Government of India for manufacture of opium at Ghazipur and Neemuch for distribution to the provinces; and

(c) whether Government are aware that large quantities of opium are sent out of the States to the Province of Assam, and if so, whether Government propose to take steps to prevent despatch of opium through post offices and railways?

The Honourable Sardar Vallabhbhai Patel: (a) Poppy continues to be cultivated in certain States of the Madhya Bharat and Rajasthan Unions and also in Tehri-Garhwal, Kashmir and Baroda. The question of gradual reduction in the acreage of poppy is under active consideration at present.

(b) Poppy juice is produced by some of the covenanting States of the Madhya Bharat and Rajasthan Unions for the supply of raw opium to the Ghazipur and Neemuch Opium Factories under agreements entered into with the Government of India.

(c) No supplies are authorised to be made to the Province of Assam from any of the States: and Government are taking all possible steps to prevent smuggling.

**REFUND OF DEPOSIT COLLECTED BY CENTRAL EXCISE DEPARTMENT
AT CASTLE ROCK, GOA**

400. ***Shri E. E. Diwakar**: (a) Will the Honourable Minister of Finance be pleased to state whether the Central Excise Department has refunded all the money collected at Castle Rock on Goa border as deposits at the rate of 30 per cent. *ad valorem* upto 30th June, 1948 from merchants of Hubli and other places who booked goods to Bombay via Mormagoa? If not, why not?

(b) Under what law and on whose instructions was this deposit collected and for what reasons?

(c) If it was not under any law, who was responsible for collecting these deposits?

(d) Are Government aware that the deposits were to be returned immediately after presentation of landing certificates at the port of destination?

(e) Are Government further aware that in a number of cases the deposit money has been lying with the department for three months and more even after persistent claims, thus causing great hardship?

(f) Do Government propose to take immediate steps to remove this hardship?

The Honourable Shri K. C. Neogy: (a) It has not been possible to collect precise information on this point but it will be laid on the table of the House as soon as it is available.

(b) The Portuguese Settlements of Goa and Daman are "foreign territories" for purposes of levy of Customs duties on goods imported from or exported to these Settlements. Under the law, therefore, all goods exported out of India to Goa are liable to Customs duties. Where, however, such export is effected

†Answer to this question laid on the table, the questioner being absent.

with the specific purpose of shipping the goods to an Indian port *via* Goa, the Customs duty leviable is not actually realised. At the same time, in order to safeguard against the possibility of the goods so exported not actually reaching the Indian port, thereby endangering Government revenue, and also, involving an infringement of the restrictions on exports, Government have under section 157(c) of the Sea Customs Act prescribed rules providing for taking of deposits or bonds covering the risks involved.

(c) Does not arise.

(d) Yes.

(e) Government are informed that, in most cases, through a misunderstanding existing amongst the consignees, the Bombay Steam Navigation Company, and the Madras and Southern Mahratta Railway, the landing certificates have not so far been produced to the Customs authorities. The Customs authorities are now arranging for all such landing certificates to be presented to them by the Station Master at Castle Rock, so that payments could be expedited.

(f) The question of hardships experienced by exporters of such goods has been engaging Government's attention for some time past. The Chief Commercial Manager, Madras and Southern Mahratta Railway, has now agreed to execute a continuing bond on behalf of all the exporters of goods consigned to Indian ports by the Railway and the Bombay Steam Navigation Co. *via* Castle Rock and Mormagao. Now that the responsibility for the production of landing certificates has been taken over by the Railway, it will not hereafter be necessary for individual exporters to execute bonds or to pay deposits at Castle Rock.

Shri B. E. Diwakar: May I know what steps have been taken in order to see that the deposits lying with the Government are returned?

The Honourable Shri K. O. Neogy: All possible steps to expedite the refund will be taken.

Mr. R. K. Sidhva: May I know whether any refund of customs duty is granted on any articles shipped from India through Goa? If so, what are these articles on which refund is given?

The Honourable Shri K. O. Neogy: Refund for what reasons?

Mr. R. K. Sidhva: I want to know whether any refund is given on any article.

Mr. Speaker: I am afraid the question is too general.

TEMPORARY PROMOTION OF EMPLOYEES OF CANTONMENT BOARDS AND DEPARTMENTS AS EXECUTIVE OFFICERS

401. *Giani Gurmukh Singh Moolnar: (a) Will the Honourable Minister of Defence be pleased to state whether it is a fact that employees of Cantonment Boards and ministerial establishment of the Cantonments Department have been appointed Cantonment Executive Officers on a temporary basis?

(b) If so, how many and under what specific rules?

(c) What are the educational qualifications and age of each person so appointed?

The Honourable Sardar Baldev Singh: (a) Yes.

(b) The number of persons so appointed is five. There are no standard rules regarding these appointments at present. The honourable member's attention is, however, drawn to the proposed amendment to sub-rule (1) of rule 5 of the Cantonment Executive Officers Service Rules, 1937, published in Ministry of Defence Notification No. 683, dated the 24th April 1948.

(c) I lay a statement on the table of the House.

Statement

Age and educational qualifications of the five persons [3 from the Cantonments Department (Ministerial Establishment) and 2 from the staff of Cantonment Boards] appointed as Cantonment Executive Officers.

Serail No.	Age	Educational Qualifications
1	42	Matriculate.
2	46	Secondary School Leaving Certificate (equivalent to Matriculation).
3	46	Matriculation; also passed Intermediate Examination in English.
4	52	Matriculate-
5	37	Bachelor of Engineering (Civil) and Member of the Royal Sanitary Institute.

کھانی گرمکھ سنگھ مسافر : اس بارے میں میں جاننا چاہتا ہوں کہ کس قاعدے کے ماتحت یہ ایوانتظامت ہوئی ہیں -

Giani Gurmukh Singh Musafir: In this connection I would like to know the rules under which these appointments were made.

آنریبل سردار بلدیو سنگھ : میں نے تو جواب میں کہا ہے کہ اسوقت کوئی رول نہیں ہے - لیکن ایک امتدملت جس کا میں نے ذکر کیا ہے ابھی حال میں کی گئی ہے - اس کے مطابق یہ باتی جتنی بھی ایوانتظامت ہوئی وہ فیڈرل کمیشن کے معرفت ہوگی -

The Honourable Sardar Baldev Singh: I have stated in the reply that there is no rule at present. But an amendment which I have mentioned has been made recently according to which all the appointments will be made through the Federal Public Service Commission.

کھانی گرمکھ سنگھ مسافر : کیا اس میں کوئی ایجوکیشن اور ایج کا کوئی خال رکھا گیا ہے؟

Giani Gurmukh Singh Musafir: Is any consideration given to education and age?

آنریبل سردار بلدیو سنگھ : میں ایک استماعتیت رکھ رہا ہوں جس میں کہ ایجوکیشنل کوالیفیکیشن اور دوسری جو کچھ ہیں - ان سب کا ذکر ہے

The Honourable Sardar Baldev Singh: I am placing before the House a statement which gives full particulars of educational qualifications and other conditions.

کھانی گرمکھ سنگھ مسافر : کہا ان سٹرل جابس (jobs) میں گریجویٹس کا ہی کوئی کلسیفیکیشن کیا جائیگا؟

Giani Gurmukh Singh Musafir: Will any consideration be shown to Graduates in these central jobs?

آنریبل سردار بلدیو سنگھ : جہاں تک موجودہ ان ایوانتظامتس کا تعلق ہے اس میں تعلیم کی جو کوالیفیکیشن ہے وہ مشترک ہے -

The Honourable Sardar Baldev Singh: So far as these present appointments are concerned, the educational qualification prescribed is Matriculation.

گھنائی گرمیوں سنگم مسافر : کہا آنرہبل منسٹر اس بات پر فور کریڈیٹ کے اسوقت بہت سے گریجویٹس اور اعلیٰ تعلیم یافتہ رفیوجی جو بھکر پھر رہے ہیں انکے کیسز (cases) پر فور کیا جائیگا ۔

Giani Gurmukh Singh Musafir: Will the Honourable Minister please consider the cases of those refugees who are graduates and highly educated, and are out of employment at present?

آنرہبل سردار بلدیو سنگھ : یہ جو امینڈمنٹ بلے اس میں رفیوجی (refugee) کا خاص طور پر خیال رکھا گیا ہے ۔ اس میں تیس فیصد (percent) نوکریاں رفیوجی (refugee) کے واسطے ریزرو (reserve) کی گئیں ہیں ۔

The Honourable Sardar Baldev Singh: This amendment seeks to give special consideration to refugees for whom 30 per cent. of the posts have been reserved.

INTRODUCTION OF PROHIBITION ON ALL-INDIA BASIS

402. *Shri Biswanath Das: Will the Honourable Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 51, asked on 10th August, 1948 by Pandit Mukut Bihari Lal Bhargava regarding introduction of prohibition in Centrally Administered Areas and state:

(a) whether Government have considered the need of undertaking this great reform, on all-India basis, only in more normal times with the active help and co-operation of the Provinces and States;

(b) whether Government have considered the question that attempts made by any single unit will not only make the experiment costly but that there are possibilities of failure; and

(c) whether Government have consulted the Provinces and States in this regard?

The Honourable Sardar Vallabhbhai Patel: As the honourable member is aware the policy of prohibition has been a long settled one and Provincial Governments are already well on the way towards implementing it. The subject is purely Provincial. It may not be possible to halt the progress made. In any case, having regard to the fact that the question is entirely Provincial, any interference by the Government of India would not be desirable. As regards centrally administered areas I have nothing to add to my reply to starred question No. 51.

Shri Biswanath Das: Sir, may I know the items on which they propose to have prohibition, namely, opium prohibition, bhanga prohibition, ganja prohibition or an all-out prohibition?

The Honourable Sardar Vallabhbhai Patel: All intoxicating drugs.

Shri Ajit Prasad Jain: Have Government issued any instructions to officials with regard to eating parties where drinks are served?

The Honourable Sardar Vallabhbhai Patel: The Central Government have issued instructions that in no official parties drinks will be served.

Shri Biswanath Das: May I know the amount of money that Government propose to lose in this regard annually as a result of prohibition in the Centrally Administered areas?

The Honourable Sardar Vallabhbhai Patel: I gave the figures in reply to a previous question, No. 51.

Shri Biswanath Das: In view of the fact of the smallness of the areas administered by the Centre and in view of the fact that these areas are surrounded by either provinces or states who have not at all taken up prohibition, have Government considered the difficulty of starting the prohibition programme?

The Honourable Sardar Vallabhbhai Patel: Prohibition has not been introduced more especially in view of the facts mentioned by the honourable member.

SCHOLARSHIPS FOR STUDIES ABROAD

†403. *Dr. P. S. Deshmukh: (a) Will the Honourable Minister of Education be pleased to state the number of foreign scholarships awarded during each of the years 1945-46, 1946-47 and 1947-48?

(b) Do Government propose to award any scholarships in the middle of the year to any scholars who are already reading in foreign Universities?

The Honourable Maulana Abul Kalam Azad: (a) 1945-46—442, 1946-47—292, 1947-48—137.

(b) If a very urgent case strongly supported by our representative abroad is received, the Ministry will consider it.

SCHOLARSHIPS AWARDED IN 1948-49 FOR STUDIES ABROAD

†404. *Dr. P. S. Deshmukh: (a) Will the Honourable Minister of Education be pleased to state whether any foreign scholarships have been awarded this year?

(b) If so, will Government please lay a statement on the table of the House showing: (i) their names; (ii) the amount of scholarships awarded; (iii) the number of years for which each is awarded; and (iv) the subjects for and the institution in which the scholarships are tenable?

The Honourable Maulana Abul Kalam Azad: (a) No fresh scholarship for advanced Overseas Studies has been awarded in 1948. The entire Scheme of scholarships is under consideration and it is proposed to award scholarships from the next year under the new Scheme which might be adopted.

(b) Does not arise.

PERSECUTION IN HYDERABAD OF PEOPLE COMING TO INDIA

†405. *Dr. P. S. Deshmukh: (a) Will the Honourable Minister of States be pleased to state whether Government are aware that people while on the way to India have been humiliated, searched, beaten and deprived of their belongings in the Hyderabad State?

(b) Are Government aware of the number of persons persecuted?

(c) What is the value of the property forcibly removed or burnt?

The Honourable Sardar Vallabhbhai Patel: (a) Government have received a number of reports to this effect.

(b) and (c). Government have no information.

HELP TO STUDENTS FROM HYDERABAD

†406. *Dr. P. S. Deshmukh: (a) Will the Honourable Minister of States be pleased to state whether Government are aware that a large number of students from Hyderabad are seeking to join Institutions in the Indian Dominion?

†Answer to this question laid on the table, the questioner being absent.

(b) Are Government aware that they have to come out without anything more than a shirt, a dhoti and not more than Rs. 10 each?

(c) Are Government aware that their guardians cannot send money-orders owing to difficulties of Exchange?

(d) Have Government taken any steps to give facilities to such students from Hyderabad?

(e) Do Government propose to make adequate funds available to these students?

The Honourable Sardar Vallabhbhai Patel: (a) Government have received a few applications from students who have left Hyderabad for admission to institutions in India.

(b) Government have no information.

(c) No such difficulty has been represented to Government.

(d) and (e). Government have not received any such requests but would be prepared to consider these if they are approached.

LANDS AND DEVASTHANAMS KEPT AS PRIVATE PROPERTY BY EX-RULERS OF STATES IN EASTERN STATES AGENCY

407. *Shri Biswanath Das: Will the Honourable Minister of States be pleased to state:

(a) the acreage of land held by each of the ex-Rulers of the States which were known as the Eastern States Agency and which are now merged in the Provinces of Bihar, Orissa and Central Provinces, either in their own name or in the name of the members of the Raj family as their homefarm lands on the date or the dates of merger;

(b) whether it is a fact that some of these rulers have retained important Devasthanams with large incomes as their private temples while others have given up such Devasthanams;

(c) whether Government propose to place on the table of the House a list of such ex-Rulers referred to in part (b) above;

(d) whether it is a fact that the Devasthanams referred to in part (b) above were always accessible to and are being used by the public and that villages granted for the use of such Devasthanams are the State property; and

(e) whether any final decision is being taken in this regard?

The Honourable Sardar Vallabhbhai Patel: (a) to (e). Inventories of the private property of the Rulers of States that have been merged in the Provinces of Bihar and Orissa are still being scrutinized by the Provincial Governments. As regards Chhattisgarh States I invite the attention of honourable member to my reply to starred question No. 205 on 13th instant.

Shri Biswanath Das: May I know whether Government have seen the claims of certain state rulers that they have practically taken about twenty per cent. of the land within certain states as their own land in their names or in the names of the Ranis or other relations?

The Honourable Sardar Vallabhbhai Patel: I have already answered that question that in the province of Bihar and Orissa, the list of these private properties is being scrutinized by the province.

Prof. N. G. Ranga: May I ask the Honourable Minister if the point made in part (b) is quite correct, that Devasthanams are being treated as private property of the princes?

The Honourable Sardar Vallabhbhai Patel: There are some private Devasthanams for the princes.

Prof. N. G. Ranga: Are Government aware of the fact that in Madras there is a legislation to treat all these Devasthanams as public institutions and treat their properties also as public property to be managed by the Devasthanams?

The Honourable Sardar Vallabhbhai Patel: There are very few states which have merged in the Province of Madras.

Prof. N. G. Ranga: In view of the fact that in some of the provinces Devasthanams have not been treated as private institutions, will Government consider the advisability of seeing that these Devasthanams are not handed over as private institutions to be managed by the princes?

The Honourable Sardar Vallabhbhai Patel: Certainly the property will not go to the princes as private property, but there are in some states princes' own Devasthanams, which are the private Devasthanams in which the public are also not allowed; there the property is their private property.

Shri Biswanath Das: The Honourable Deputy Prime Minister spoke about scrutiny by the Provincial Governments regarding private property. Does it relate also to the claims of these ex-rulers of these Devasthanams?

The Honourable Sardar Vallabhbhai Patel: All property which is claimed as private property will be scrutinized by these provinces and if there is any dispute, it will come to the States Ministry.

Mr. Speaker: The Question Hour is over.

(b) WRITTEN ANSWERS

GRANT FOR EXPANSION OF TECHNICAL AND TECHNOLOGICAL INSTITUTIONS

408. *Shri Biswanath Das: Will the Honourable Minister of Education be pleased to state:

(a) the year from which additional seats, provided under the Government of India grant to the fourteen Institutions for technical and technological education, will be available;

(b) whether any institution, out of the said fourteen that received grant from the Government of India has been able to utilise the grant for its expansion and has provided additional seats to students during the current year; and

(c) whether Provincial Governments have been intimated of the schemes of expansion and provision of additional seats for such instruction."

The Honourable Maulana Abul Kalam Azad: (a) The object underlying the Government of India's grant to the fourteen technological institutions is not merely the provision of additional seats but also the improvement of the general standard of instruction. It has, therefore been necessary to stipulate in the case of certain ill-equipped or understaffed institutions, as a condition of grant, that they will reduce their present annual intake and keep it at that reduced level for a few years during which the institutions will gradually be brought up to the requisite standard. The other institutions are expected to increase their annual intake progressively beginning from the next year, and to provide all the additional seats stipulated by Government at the end of three to four years when their development plans will have been fully implemented.

(b) So far only nine institutions have received financial assistance. This was given towards the end of March 1948, in shape of advance grants and loans for purchase of equipment and construction of College buildings and students hostels. No grant has been given as yet to meet recurring expenditure such as staff salaries etc., and the question of grants, both recurring and non-recurring, for 1948-49 and onwards is under the consideration of the Government of India. It is unlikely that any of the institutions has been able to utilise the last year's grants to any appreciable extent or is in a position to make increased admissions this year.

(c) Yes.

DIVISION OF PROVINCES ON LINGUISTIC BASIS

409. *Shri Biswanath Das: Will the Honourable Minister of Home Affairs be pleased to state:

(a) whether Government propose to take up the question of linguistic division of provinces in the immediate future either of all the concerned provinces or of a few selected ones;

(b) whether Government are aware of the appointment and functioning of a Committee appointed in this regard by the Honourable President of the Constituent Assembly;

(c) whether they were consulted before the appointment of the said Committee; and

(d) whether Government propose to place the said correspondence on this subject on the table of the House?

The Honourable Sardar Vallabhbhai Patel: The Honourable the Prime Minister has agreed to deal with this question and will answer it on the 30th August 1948.

STATEMENT IN *DAWN* re NIZAM'S GOLD RESERVES

410. *Shri Biswanath Das: Will the Honourable Minister of Finance be pleased to state:

(a) whether the attention of Government has been drawn to a statement published from the London Office of the *Dawn* of Karachi, in its issue dated 9th August, 1948 under the head-line "India Government's measures against Hyderabad are inspired and directed by the British Government in a plot to seize the gold Reserves of the Nizam", issued by one Mr. Frederick E. Holsinger, the Economist's financial expert; and

(b) whether his statement that "the Nizam's gold reserves are estimated by best financial authorities to be between £40 to £50 millions" is correct and if so, the place where this gold reserve is located?

The Honourable Shri K. O. Neogy: (a) Yes.

(b) Government have no information.

REFUGEE'S RIGHTS TO VOTE IN GENERAL ELECTION FOR DELHI CORPORATION

411. *Sh. Ranbir Singh: Will the Honourable Minister of Health be pleased to state whether the requisite condition of three years residence in Delhi will be waived in the case of refugees coming from Western Pakistan for giving them the right to vote in the coming general election for the Delhi Corporation? If not, why not?

The Honourable Rajkumari Amrit Kaur: It is not correct to say that a person should have resided for three years in Delhi before he can become a voter at elections for the Delhi Municipal Committee. Under the present rules a person is entitled to be enrolled in the Municipal Electoral Roll as a voter if he has been resident in the area for six months on the 1st of November preceding the election. The question what the qualifications of a voter should be for elections to the proposed Municipal Corporation will be examined when Government consider the Report of the Delhi Municipal Organisation Enquiry Committee.

AGITATION FOR A SEPARATE UNION BY EX-RULERS OF STATES MERGED IN ORISSA AND C. P.

412. *Shri Nandkishore Das: Will the Honourable Minister of States be pleased to state:

(a) whether Government are aware that certain ex-Rulers whose states have been merged in Orissa and Central Provinces have been carrying on an agitation for the constitution of a Union of their own with its head office in Calcutta and branch offices in Chaibasa (Bihar) and other places;

(b) whether Government are aware that they have collected from amongst themselves large sums of money and are spending the same to mobilise public opinion both in and outside those states;

(c) whether Government are aware that in this agitation, a serious attempt is made to set up the aboriginal tribes against the administration;

(d) whether it is a fact that there was a search made of their Calcutta head office, which was in charge of one Mr. Sing Deo of Saraikella Raj family, by the West Bengal and Orissa Police; and

(e) whether the attention of Government has been drawn to the statement made by the Premier of Orissa on the floor of the Orissa Legislative Assembly in July, 1948, giving accounts of huge collections of subscriptions for this purpose and also of the use of money to gain the favour of influential men and organisations for their agitation?

The Honourable Sardar Vallabhbhai Patel: (a) to (d). Government have had certain reports on these lines but are making enquiries.

(e) Yes.

FORCIBLE SEIZURE OF SINDH SECTION OF JODHPUR RAILWAY BY PAKISTAN

413. *Sardar Hukam Singh: (a) Will the Honourable Minister of States be pleased to state whether the Jodhpur Government approached the Government of India in connection with the forcible seizure of the Sindh Section of the Jodhpur Railway by the Government of Pakistan on the 29th July, 1948?

(b) If so, has any action been taken to induce the Government of Pakistan to abide by the terms of notice for the termination of the agreement?

(c) Were four officers of the Jodhpur Railway, who had gone for joint inspection with the Pakistan Railway Officers, detained and not permitted to cross the border?

(d) Are any officers and members of the subordinate staff still under detention?

(e) If so, are any steps being taken to get them released?

The Honourable Sardar Vallabhbhai Patel: (a) and (b). The forcible seizure of the Sindh Section of the Jodhpur Railway by the Government of Pakistan took place on 28th July, 1948, and not on the 29th July, 1948. The Jodhpur Government approached the Government of India in this connection, and negotiations with Pakistan are going on.

(c) Two of the officers of the Jodhpur Railway who had gone for joint inspection attempted to cross the border and were detained; others who were on the Sind Section at the time made no such attempt; it is understood that all of them have since come back to Jodhpur.

(d) There are no officers and members of the subordinate staff in Sind now.

(e) Does not arise.

RELIEF TO TROOPS FIGHTING IN KASHMIR SINCE THE BEGINNING OF OPERATIONS

414. *Shri Satish Chandra: Will the Honourable Minister of Defence be pleased to state:

(a) whether it is a fact that the troops stationed in Kashmir have been on the fighting line since the commencement of the hostilities there;

(b) whether it is a fact that the last winter in Kashmir has been unusually severe and taxing; and

(c) whether Government propose to replace the troops in Kashmir by fresh troops, in order to give rest and respite to men who have valiantly defended Kashmir against heavy odds and if so, when, and if not, why not?

The Honourable Sardar Baldev Singh: (a) No, Sir. It is not correct to say that all the troops in Kashmir have been there since the commencement of the operations. Only one battalion was sent in the first instance and additional troops were sent at various times as operations developed.

(b) Yes.

(c) Yes, Sir. Every effort is being made, and will be made to relieve troops in Jammu and Kashmir by fresh troops whenever possible.

415 [WITHDRAWN]

Monday,
23rd August, 1948

CONSTITUENT ASSEMBLY OF INDIA

(LEGISLATIVE) DEBATES

(PART II—PROCEEDINGS OTHER THAN QUESTIONS AND ANSWERS)

Official Report

Volume VI, 1948

(9th August to 31st August, 1948)

THIRD SESSION OF THE CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)

1948



CONTENTS

Volume VI,—8th August to 31st August, 1948

MONDAY, 8TH AUGUST, 1948—

Page

Death of Mr. Damber Singh Gurnag	1
Governor-General's Assent to Bills—	1-2
Papers laid on the Table—	
Report of India Delegation to Fifth Session of Economic and Social Council of United Nations	2
Summary of Work done by Geological Survey of India during past Five years	2
White Paper on Sterling Balance Negotiations	2
Allotment of a day for discussion on Hyderabad and Kashmir	2
Election to Standing Committee for Ministry of External Affairs and Commonwealth Relations	3, 18
Diplomatic and Consular Officers (Oaths and Fees) Bill—Introduced	4
Indian Merchant Shipping (Amendment) Bill—Introduced	4
Census Bill—Introduced	4
Continuance of Legal Proceedings Bill—Introduced	4
Indian Matrimonial Causes (War Marriages) Bill—Introduced	4
Indian Registration (Amendment) Bill—Introduced	5
Displaced Persons (Institution of Suits) Bill—Introduced	5
Taxation on Income (Investigation Commission) (Second Amendment) Bill—Introduced	5
Reserve Bank (Transfer to Public Ownership) Bill—Introduced	5
Gandhi National Memorial Fund Donations (Companies) Bill—Introduced	5
Estate Duty Bill—	
Presentation of Preliminary Report of Select Committee	6
Extension of time for presentation of Report of Select Committee	6-18
Declaration by Members	18
Factories Bill—Presentation of Report of Select Committee	19
Banking Companies Bill—Referred to Select Committee	19-30
Electricity (Supply) Bill—Discussion on motion to consider as reported by Select Committee—Not concluded	30-46

TUESDAY, 10TH AUGUST, 1948—

White paper on Hyderabad—Laid on the Table	47-48
Elections to—	
Central Advisory Committee of National Cadet Corps	48
Central Committee of Tuberculosis Association of India	49
Electricity (Supply) Bill—Consideration of Clauses—Not concluded	49-92
Appendix	92-164

WEDNESDAY, 11TH AUGUST, 1948—

Resolution re—	
Abolition of entries of caste and religion etc., from Government registers, forms and records—Withdrawn	165-66
Measure to check rising prices of necessary commodities—Discussion not concluded.	166-216

THURSDAY, 12TH AUGUST, 1948—

Elections to—	
Employees' State Insurance Corporation	217
Committee on Public Accounts	217
Standing Finance Committee	218
Standing Committee for External Affairs and Commonwealth Relations	218
Hindu Code—Presentation of Report of Select Committee	219-20
Gandhi National Memorial Fund Donations (Companies) Bill—Passed	219-22
Electricity (Supply) Bill—Consideration of clauses—Not concluded	222-31
Demand for Supplementary Grants 1948-49—Discussion not concluded.	231-39
Demand No. 99.A—Capital Outlay on Sterling Pension—Discussion not concluded	231-50
Failure of Government to secure Protection against scaling down of Sterling Balances—Discussion not concluded.	245-50
Demand No. 101—Defence Capital Outlay—Discussion not concluded.	253-50
Priority of Payment and Defence Stores Policy of Government—Discussion not concluded.	245-50

FRIDAY, 13TH AUGUST, 1948—

	Page
Paper laid on the Table—	
Declaration of Exemption under the Registration of Foreigners Act	202-04
Section 10—	
Central Advisory Committee of National Cadet Corps	205
Central Committee of Tuberculosis Association of India	205
Mine and Mineral (Regulation and Development) Bill—Introduced	200
Income Tax and Business Profit Tax (Amendment) Bill—Presentation of Report of Select Committee	205
Demand for Supplementary Grant—1948-49— <i>Concld.</i>	206-210
Demand No. 99-A—Capital Outlay on Sterling Penion— <i>Concld.</i>	206-210
Failure of Government to secure Protection against loading down of Sterling Balance— <i>Concld.</i>	206-210
Demand No. 101—Defence Capital Outlay— <i>Concld.</i>	206-210
Propriety of Payment and Defence Stores Policy of Government— <i>Concld.</i>	206-210

MONDAY, 16TH AUGUST, 1948—

Resolution re Indian Parliamentary Group of Inter-Parliamentary Union— <i>Adopted</i>	311-17
Durgah Khawaja Sahib (Amendment) Bill—Introduced	318
Indian Army (Amendment) Bill—Introduced	318
Coal Mine Provident Fund and Bonus Scheme Bill—Introduced	318
Indian Telegraph (Amendment) Bill—Introduced	318
Census of Refugees Bill—Introduced	318
Electricity (Supply) Bill—Passed as amended	319-42
Mine and Mineral (Regulation and Development) Bill—Referred to Select Committee	342-56

TUESDAY, 17TH AUGUST, 1948—

Statement by Shri R. K. Shanmukham Chetty on his Resignation as Minister for Finance	357-60
Elections to—	
Employees' State Insurance Corporation	380
Committee on Public Accounts	380
Standing Finance Committee	380
Central Silk Board Bill—Referred to Select Committee	380-69
Bombay, Calcutta and Madras Port Trusts (Constitution) (Amendment) Bill—Passed as amended	369-92
Indian Railway (Second Amendment) Bill—Discussion on motion to consider and to refer to Select Committee—Not concluded	392-99

WEDNESDAY, 18TH AUGUST, 1948—

Banking Companies Bill—Extension of time for Presentation of Report of Select Committee	401-03
Contaminants (Amendment) Bill—Introduced	408
Indian Railway (Second Amendment) Bill—Referred to Select Committee	408-12
Continuance of Legal Proceeding Bill—Passed	412-16
Displaced Persons (Institution of Suit) Bill—Consideration of clauses—Not concluded	417-24
Indian Registration (Amendment) Bill—Passed	424-26
Indian Matrimonial Cause (War Marriages) Bill—Passed	426-29
Census Bill—Passed as amended	429-42

FRIDAY, 20TH AUGUST, 1948—

Imperial Library (Change of Name) Bill—Introduced	443-44
Indian Cotton Com (Amendment) Bill—Introduced	444
Displaced Persons (Institution of Suit) Bill—Passed as amended	444-56
Diplomatic and Consular Officers (Oath and Fee) Bill—Passed	455-59
Indian Merchant Shipping (Amendment) Bill—Passed	459-60
Durgah Khawaja Sahib (Amendment) Bill—Passed	460-61
Indian Army (Amendment) Bill—Passed as amended	462-72
Indian Telegraph (Amendment) Bill—Passed	472-73
Coal Mine Provident Fund and Bonus Schemes Bill—Passed	473-86
Factories Bill—Discussion on motion to consider—Not concluded	486-87

Papers laid on the Table—

Authenticated Schedule of Authorised Supplementary Expenditure for 1948-49—

Other than Railways	480
Bombay Public Security Measure (Delhi Amendment) Bill—Introduced	480
Temperal Army Bill—Introduced	480
Payment of Tax: (Transfer of Property) Bill—Introduced	480
Factories Bill—Motion to consider—Adopted	480-482

TUESDAY, 24TH AUGUST, 1948—

Factories Bill—Consideration of clauses—Not concluded	533-80
Indian Railways (Second Amendment) Bill—Presentation of Report of Select Committee	530

WEDNESDAY, 25TH AUGUST, 1948—

Panel of Chairmen	581
Committee on Petitions	581
Mines and Minerals (Regulation and Development) Bill—Presentation of Report of Select Committee	581
Banking Companies Bill—Extension of time for presentation of Report of Select Committee	581-82
Child Marriage Restraint (Amendment) Bill—(Amendment of Sections 3, 4, 5, 6 and 10)—Referred to Select Committee	582-613
Child Marriage Restraint (Amendment) Bill—(Amendment of Sections 2 and 4)—Referred to Select Committee	582-613
Child Marriage Restraint (Amendment) Bill—(Amendment of Sections 10 and 11)—Referred to Select Committee	582-613
Indian Penal Code and the Code of Criminal Procedure (Amendment) Bill—Motion to refer to Select Committee—Not moved	614
Criminal Tribes (Repeal) Bill—Motion to refer to Select Committee—Not moved	614
Indian Penal Code (Amendment) Bill—(Amendment of Section 124A)—Motion to Consider—Not moved	614
Provincial Insolvency (Amendment) Bill—Withdrawn	614
Indian Companies (Amendment) Bill—(Amendment of Section 88 F)—Motion to refer to Select Committee—Not moved	615
Indian Bar Councils and the Legal Practitioners (Amendment) Bill—Withdrawn	615
Code of Criminal Procedure (Amendment) Bill—(Amendment of Sections 496 and 497)—Motion to refer to Select Committee—Not moved	615
Indian Companies (Amendment) Bill—(Amendment of Sections 26, 31, 32 etc.)—Motion to refer to Select Committee—Not moved	615
Special Marriage (Amendment) Bill—Motion to refer to Select Committee—Not moved	615
Calcutta Port (Amendment) Bill—Motion to refer to Select Committee—Not moved	616
Bombay Port Trust (Amendment) Bill—Motion to refer to Select Committee—Not moved	616
Madras Port Trust (Amendment) Bill—Motion to refer to Select Committee—Not moved	616
Workers' Provident Fund Bill—Motion to refer to Select Committee—Not moved	616
Prevention of Free or Forced or Compulsory Labour Bill—Motion to consider—Not moved	616
Hindu Marriages Validity Bill—Motion to refer to Select Committee—Not moved	616
Code of Criminal Procedure (Amendment) Bill—(Amendment of Sections 4, 29A etc.)—Motion to consider—Not moved	616
Motor Vehicles (Amendment) Bill—Motion to consider—Not moved	617
Indian Judicial Procedure Bill—Motion to consider—Not moved	617
Indian Bar Councils and the Legal Practitioners (Amendment) Bill—Motion to consider—Not moved	617
Criminal Tribes (Repeal) Bill—Motion to consider—Not moved	617
Civil Marriage Bill—Introduced	617-18
Deities (Amendment) Bill—Introduced	618
Code of Criminal Procedure (Amendment) Bill—(Amendment of Section 488)—Introduced	618

THURSDAY, 26TH AUGUST, 1948—

Pages

Change in Date for non-official Business in Assembly	619
Supply of Answers to Questions in advance to Members	619-20
Elections to—	
Standing Committee for Ministry of Defence	620
Standing Committee for Ministry of Communications	620-21
Exchange of Prisoners Bill—Introduced	621
Central Silk Board Bill—Presentation of Report of Select Committee	621
Factories Bill—Consideration of Clauses— Not concluded	622-23

FRIDAY, 27TH AUGUST, 1948—

Indian Income-tax (Amendment) Bill—Introduced	623
Indian Navy (Discipline) Amendment Bill—Introduced	628
Factories Bill—Passed as amended	624-707

MONDAY, 30TH AUGUST, 1948—

Elections to—	
Standing Committee for Ministry of Works Mines and Power	709
Standing Committee for Roads	709-10
Indian Central Coconut Committee	710
Standing Committee for Ministry of Defence	710
Standing Committee for Ministry of Communications	710
Income-Tax and Business Profits Tax (Amendment) Bill—Passed as amended	711.62
Taxation on Income (Investigation Commission) (Second Amendment) Bill—Passed	762.64

TUESDAY, 31ST AUGUST, 1948—

Request for allotment of time for Debate on Hyderabad and Kashmir	765.66
Papers laid on the Table—	
Notifications under section 38 of Central Excises and Salt Act, 1944	766.69
Cinematograph (Amendment) Bill—Introduced	769
Indian Tariff (Amendment) Bill—Introduced	769-70
Indian Tariff (Second Amendment) Bill—Introduced	770
Essential Supplies (Temporary Powers) (Amendment) Bill—Introduced	770
Motion re Procedure in making Rules to regulate the Procedure and Conduct of Business in the Assembly—Adopted	770-75
Hindu Code—Postponed	775-81
Cantonments (Amendment) Bill—Passed	781-83
Imperial Library (Change of Name) Bill—Passed	783-800
Bombay Public Security Measures (Delhi Amendment) Bill—Passed	800-01
Mines and Minerals (Regulation and Development) Bill—Passed	801-17

CONSTITUENT ASSEMBLY OF INDIA (LEGISLATIVE)

DEBATES

(PART II — PROCEEDINGS OTHER THAN QUESTIONS AND ANSWERS)

Monday, 23rd August, 1948

The Assembly met in the Assembly Chamber of the Council House at a Quarter to Eleven of the Clock, Mr. Speaker (The Honourable Mr. G. V. Mavalankar) in the Chair.

QUESTIONS AND ANSWERS

(See Part I)

11-45 A.M.

PAPERS LAID ON THE TABLE

AUTHENTICATED SCHEDULE OF AUTHORISED SUPPLEMENTARY EXPENDITURE FOR 1948-49—OTHER THAN RAILWAYS

The Honourable Shri K. O. Neogy (Minister for Finance and Commerce):

Sir, I lay on the table in pursuance of section 86 of the Government of India Act, 1935, as adapted, read with sub-section (1) of section 85 thereof, an authenticated schedule of authorised supplementary expenditure for 1948-49 in respect of expenditure other than Railways.

In pursuance of the provisions of Section 36 of the Government of India Act, 1935, as adapted by the India (Provisional Constitution) Order, 1947 read with sub-section (1) of Section 35 thereof, I, Chakravarty Rajagopalachari, Governor General of India, do hereby authenticate by my signature the following schedule of supplementary expenditure from the revenue of the Dominion for the year 1948-49:—

SCHEDULE

Service, Administration or Area to which Demand relates	Amount (in thousands of rupees,
	Voted
	Rs.
99-A.—Capital Outlay on Sterling Pensions	2,16,27.18
101.—Defence Capital Outlay	65,33.33

C. RAJAGOPALACHARI,

New Delhi;

Governor General of India.

The 17th August 1948.

BOMBAY PUBLIC SECURITY MEASURES (DELHI AMENDMENT) BILL

The Honourable Sardar Vallabhbhai Patel (Minister for Home, Information and Broadcasting and the States): Sir, I beg to move for leave to introduce a Bill to amend the Bombay Public Security Measures Act, 1947, as extended to the Province of Delhi.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to amend the Bombay Public Security Measures Act, 1947, as extended to the Province of Delhi."

The motion was adopted.

The Honourable Sardar Vallabhbhai Patel: Sir, I introduce the Bill.

TERRITORIAL ARMY BILL

The Honourable Sardar Baldev Singh (Minister for Defence): Sir, I beg to move for leave to introduce a Bill to provide for the constitution of a Territorial Army for India.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the constitution of a Territorial Army for India."

The motion was adopted.

The Honourable Sardar Baldev Singh: Sir, I introduce the Bill.

PAYMENT OF TAXES (TRANSFER OF PROPERTY) BILL

The Honourable Shri K. O. Neogy (Minister for Finance and Commerce): Sir, I beg to move for leave to introduce a Bill to make provision for the payment of taxes before transfers of property are recognised in certain cases.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to make provision for the payment of taxes before transfers of property are recognised in certain cases."

The motion was adopted.

The Honourable Shri K. O. Neogy: Sir, I introduce the Bill.

FACTORIES BILL --contd.

Mr. Speaker: The House shall now proceed with the further consideration of the following motion moved by the Honourable Shri Jagjivan Ram on the 30th August, 1948, namely:

"That the Bill to consolidate and amend the law regulating labour in factories as reported by the Select Committee, be taken into consideration."

Mr. B. K. Sidhva (C. P. and Berar: General): Sir, last Friday evening, I was making reference to this Bill which has emerged from the Select Committee. The Select Committee has made certain important improvements which are really welcome and I think it is necessary for me to mention them, because it would be unfair on my part to mention only those clauses where

improvements have not been effected and not those where the Select Committee and the Honourable Minister have taken pains to see that necessary improvements have been made. For instance, Sir, it has been now laid down that in the factories sufficient ventilation should be provided in the interests of the health of the workers. They have even been obliged to mention that the sky-lights and glass windows are to be cleaned periodically and that the bulbs also should be cleaned. You can understand from this, Sir, that in the past factory owners neglected even these minor matters and the Honourable Minister had to go that length into minor matters and prescribe that the windows, the lights and the bulbs should be cleaned. I only wanted to point out the mentality of the industrialists in this respect and their failure has compelled the Government to make legislation of this sort.

There is another improvement: in the matter of the reasonable temperature in the factory rooms. In some factories, the humidity is so intolerable that the workers get exhausted within a very short period of working. Here also, the Bill has provided a certain minimum humidity that is required for the benefit of the workers. Then, again, as regards the movement of the workers in the factories, in a large number of factories that I have seen, sufficient moving space is not allowed, with the result that there have been accidents. Here also, the Bill has made an improvement and specified particular areas for the purpose of the movement of the workers.

Then, there is provision for a lunch room. At present the workers, during the recess hours, wander about, from street to street and pavements, and eat wherever they can get a little shelter under a tree or in the sunshine. Here, the Bill provides that a proper type of lunch room should be provided so that during the recess, the workers can have their meals at ease. They have also taken pains to see that the workers do not take their meals during working hours. You can see, Sir, that while giving facilities to the workers for providing a lunch room, it has also been suggested that the workers should not take their meals during the working hours and cut down production to that extent. The reasonableness of the Select Committee and the Government is proved by their action, that they are not partial only to the workers.

They have also placed a limit on the over-time work. Formerly, there was no limit on over-time work, and the workers, poor as they are, were induced to work as long as they could, so that they can earn more. The poor workers did not realise its effect on their health. Therefore, a particular limit of time has been fixed up to which extent over-time can be allowed to the workers. While the workers may suffer to that extent monetarily, their health is secured. That is also a very welcome feature of this Bill. I also notice, Sir, that a leave of one day for every 20 days has been granted to the workers under this Bill.

Sir, in the last session, while amending the Factories Act of 1934, provision had been made for the establishment of canteens for the workers. The present Select Committee has improved it by suggesting that workers' representatives should be in the canteen. It has been a clamour of the workers for many years that they have no voice in such matters where they are absolutely interested. The Select Committee have borne that in mind and stated that workers' representatives will be maintained in the canteen. I only desire that the Honourable Minister, while making the rules, should see that the majority of the workers are represented on these canteens, because, the canteens are meant for the benefit of the workers, all the consumers goods are available there, particularly eatable goods, and there is no reason why the representation of the workers should not be predominant.

Having made these observations as far as the beneficial provisions are concerned, I may now make some observations on certain points where I feel that the Bill has not gone ahead of the requirements of the workers. Clause 18

[Mr. R. K. Sidhva.]

provides for drinking water. That clause already existed. The improvement effected in this Bill is that no drinking water point should be within 20 feet of the urinal or latrine, so that the bad odour may not interfere with the health of the workers. But, I consider the proximity very near; I would have gone as far as 50 feet. Twenty feet is a very short space. Even granting that 20 feet has been allowed, provision has been made that the Chief Inspector can exempt if he thinks that this distance is not necessary. I feel that the Select Committee have made an error. After having made an improvement, they have themselves tried to undo the good thing they have done. Why should the Chief Inspector be given power to exempt that any of the drinking points could be within 20 feet?

The Honourable Shri Jagjivan Ram (Minister for Labour): The Flush system.

Mr. R. K. Sidhva: I can say in Delhi and Bombay the flush system latrines are as stinking as open latrines, because there is no proper sweeping and no supervision. Even the flush system requires a certain amount of supervision. The flush only carries away a strata from the pan; it does not keep it free from bad odour. A sanitary principle is that phenyle should be put in every day. I know there are certain municipalities that put in phenyle three times a day in public latrines worked by underground flush system. I feel that the Honourable Minister should consider this, and the power which has been vested in the Chief Inspector should be removed.

Then clause 19 provides that there should be a sufficient number of latrines. This is very vague; five may be considered sufficient by one and fifty by another. The municipal laws provide specific seats for public latrines; and in factories for every ten or fifteen there should be one seat. If there are only ten seats for a thousand workers it cannot surely be enough. Who is to determine what is sufficient? If it is intended really to benefit the workers a specific number of seats for latrines must be provided.

Then in clause 27 there is a proviso regarding the employment of women and children in cotton ginning factories where there are pressing factories also. It is well known that these cotton openers are very injurious to health because of the great quantities of dust that come out; and the Select Committee has suggested that wherever there is a cotton pressing factory and an opener there should be a partition right up to the height of the roof. This is all right, but here again there is a proviso that if the Chief Inspector feels that the height of the partition wall should be lower than the roof it should be allowed. I do not see why there should be this exemption. When the thing is bad and the Select Committee thinks that it should be up to the roof. I feel that there should be no exemption.

Mr. Speaker: I will draw the honourable member's attention to the fact that at the consideration stage he should deal with the general principles of the Bill. If he wishes to deal with the merits of individual clauses now, I do not know what he may have to say when the clauses are put to the House.

The Honourable Shri Jagjivan Ram: He will not speak on the clauses!

Mr. Speaker: Discussion of the merits of clauses can be done when the individual clauses are taken up.

Mr. R. K. Sidhva: There are 137 clauses in the Bill and I cannot deal with even half or a quarter of them. But there are some which relate to a specific principle.

Mr. Speaker: It is not a question of the number of clauses the honourable member wishes to take up but the principle on which the discussion should proceed. He should therefore, address himself to the merits of the Bill as a

whole, and he may reserve his remarks as regards the merits or demerits of individual clauses, till the clauses are put to the House. He may point out certain defects—that is another matter—but he should not go into details.

Mr. B. K. Sidhva: I will bear your suggestion in mind and not mention the number of the clauses.

There is provision for an ambulance room, but in view of the frequent accidents that take place in factories I feel that an ambulance car is also necessary.

With regard to the general provisions of the Bill, there are many good provisions but they have to be implemented and the Honourable Minister should take good care to see to their implementation by the provincial Governments. Of the 137 clauses in the Bill there are more than half on which these provincial Governments have to make laws. Labour being a concurrent subject naturally the provinces have been asked to make laws. It is important to see that they make proper rules and provide for supervision to see that these rules are duly observed. I am glad the Honourable Minister has taken power to control the provincial Governments in this respect and to see that rules are framed in conformity with this law. The 1934 Act, for example, contained provisions in regard to cleanliness but still there is a repetition of that in this Bill, which shows that the Provincial Governments took no steps to implement those provisions. I find that the clauses about cleanliness, sanitation, safety, etc., which were in the 1934 Act and also in the 1947 Act have been put in here with slight improvements. That shows that the Honourable Minister is satisfied that the provincial Governments have not implemented those provisions. I therefore feel that the strictest measures should be taken by the Centre to see that the Inspectors and the supervising agency properly carry out the provisions of these clauses. I find that the provincial inspection is very poor and the number of inspectors is very meagre. Arising out of the Tripartite Labour Conference in 1943 the Government of India appointed a Committee in 1944 which said that the enforcement of labour laws has not been up to the mark and the strength of the inspectors is "miserably small". That shows that in spite of the best intentions of the Central Government the workers have got no relief and there is consequently dissatisfaction and strikes. This is what they say:

"In the Factories Act, 1934 factory inspection in provinces has been entrusted to provincial authorities. The Labour Investigation Committee appointed by the Government of India early in 1944 in pursuance of a Resolution passed by the Tripartite Labour Conference in September 1943 admitted in their main report published in 1946 that the enforcement of labour laws has not been up to the mark, the standards of inspection in most provinces are poor and even the strength of the inspectorate is miserably small."

No greater proof is needed. These clauses are quite good on paper but they are of no use if they are not honestly worked out by the provincial authorities. I do not know what the Central Government will do; they have realised the importance of the matter and taken power to themselves.

I understand that under the Labour Ministry there is a department of the Chief Adviser for Factories. The duty of the Chief Adviser is, I believe, to render all kinds of assistance to industrialists and to workers for the purpose of erection of new buildings and to appeal to owners to have their building plans passed by the authorities and also to see that some of the beneficial measures are faithfully carried out. If such a department exists, I would welcome it though it may be very costly, but I would like to know from the Honourable Minister what this new department has been doing for the purpose for which it has been established.

The Honourable Shri Jagjivan Ram: It is not a new department!

Mr. B. K. Sidhva: Well, I would like to know the history of it. If it is an old department, then it is a discredit to the Labour Ministry that such a

[Mr. K. K. Sidhva.]

department, which may be costing a large amount of money to the Exchequer, has not been able to do anything even in the Centre, whereas specific work has been provided to this department. We know of gin factories, cotton factories and pressing factories where this department has not compelled the owners to have their plants passed. This department which has been set up to awaken provincial governments in this matter has done nothing in that respect. I know of factories started in 1937 without any plan being submitted for the approval of the provincial government. When the Honourable Minister says that it is an old department, then I am sorry that it does not do any credit to it because it has failed in the discharge of its duties.

In this connection I would like to quote rather extensively from the "Indian Labour Code" page 11 from the paragraph headed "Factory Reforms in India", because the subject is of importance and relates to the Honourable Minister himself directly. The paragraph reads:

"Measures to bring the working conditions of factory labour in India up to the standards prevailing in the leading industrial countries of the world are being up by a special organisation set up by the Government of India under the Chief Adviser, Factories. This organisation will offer advice to the Central Government, Provincial Governments, States and employers on conditions necessary to ensure the safety and health of the workers and will be available for consultation for all matters relating to design and lay-out of factories and on the standards of housing, factory construction, conditions of work, health and safety precautions, control of dust, etc. It organises training courses for factory inspectors and others interested in the administration of the Factories Act and thus functions as a centre of technical information and advice and as a venue for discussion among factory inspectors."

I was stating that the calibre of inspectors is very poor. They merely act as an executive authority. In combination with industrialists they just make a report but do not see to the grievances of the workers. That is my personal experience. I did not know that our Government of India had a department where Factory Inspectors were trained. I want to know how many have been trained and how many have been sent to the Provinces for this purpose and if they have been trained and Factory Inspectors are existing in several provinces, then I say that their training has not been to our satisfaction nor to the satisfaction of the Honourable Minister himself. Has there been any check on their training? What sort of training have they been getting? I maintain that it must be a social training. They must have aptitude to serve the labourers and workers. Unless you have picked men with two or three years of social service, I do not think, these Inspectors will be able to serve the workers in the manner in which the Government and we desire. Therefore, I do not mind the existence of a department like this, which may cost the Exchequer a certain amount of money, though I do not know what that amount is. But what I do mind is that the work turned out by this agency is according to the standards contemplated and as it has been stated in the paragraph that I have just quoted.

Therefore the Honourable Minister should look into this matter, and as he himself has the welfare of the workers at heart he should kindly see that not only he brings in measures in this House but that he sees that they are implemented. I am sure, Sir, we have got a number of good provisions, even in the 1934 Act, but the fact remains that they were not properly followed. If they were followed there would not have been this bitterness today between the employers and employees and the Government. At times, too, industrial strikes have also taken place. If such an agency were widely made known to the workers, I can assure you that the *bona fide* labour leaders would guide the workers along the right path and they would realize that for their benefit the Government of India have a special department. And now that the Provincial Governments have been asked to see that their welfare work is carried out satisfactorily, there will be, though I will not say, absolute mitigation, but, a considerable lessening in the number of strikes and the amount

of trouble that now exists. From that point of view, I would like the Honourable Minister to give more attention to this department as well as wider publicity and to see that the proper type of Inspectors are trained. As I have stated, the whole structure of this Act depends upon the Inspectors, the Chief Inspector and the number of Inspectors, and I also agree with what is stated in the report that we have a very small number of Inspectors, considering the very large number of industrial factories at present, leaving aside the new ones that have come into existence. Even for the old factories, there is not a sufficient number of Inspectors who could devote enough time and go into these clauses and see whether these factories are implementing the law or not. Mere exhibition of notices in industrial workshops and factories that these are the tiffin hours, these are the working hours and these are the facilities, will not help. I know what kind of mischief is done by the employers in spite of the exhibition of these notices required by law. They act quite differently to what they exhibit in the factories. I have a very wide experience of the Shop Assistants Act where the hours of work have been fixed. The notice is in each shop but the shopkeeper takes from the assistants a larger number of working hours than actually he is authorised to do. And no Inspector, although this has been brought to their notice, has taken any serious notice of the matter.

So the Government should realise what is the cause of this labour trouble in this country. It is because the good provisions of the Act are not adhered to, I can quote you chapters after chapters in the 1934 Act. Some of the clauses are mere repetitions of this Act. But we are going to repeal those Acts and therefore they have to be introduced into this as a comprehensive Act. Sufficient laws have been made but sufficient material for the implementing of these clauses is not there. I hope the Honourable Minister will keep this in his mind. I can tell him honestly that this is the general feeling of the workers. They do feel that the officials are not sincere to them whenever a question of their interest is brought before the officials.

I will not go into the Industrial Disputes Act, I am just now confining myself to the health, safety and other beneficial measures which are provided in this Act and the bare necessities which are long outstanding and overdue. Some of them are there even now. The Inspectors and the controlling agencies have not even tried to see that they are substantially fulfilled.

Sir, this Bill removes the distinction between seasonal and perennial labour. That was a long-standing complaint of the workers. That was done with even before by the Honourable the Labour Minister and it is being introduced in this Bill also. But railway labourers are exempted from the operation of this Act for the reason, it is mentioned, that the railway workers enjoy better benefits than mentioned in this Act. I differ from that. I have experience that in the adjoining area there is a municipal administration, where there are factories and there is underground drainage system but only a few yards away where there are railway workers, although the underground drainage system exists nearby the railway area is not connected with it and the old type latrine system continues and the workers are denied the benefit of the underground drainage system. The sweeping is defective. The railways give contracts for sweeping and the removal of the night soil and you can understand what kind of work the contractor will turn out, a man who is not responsible to the civil authorities. The railways are a central subject and the railway employees are our employees and because of that they should not be governed by this Act does not do credit to us. On the other hand, we should see that they are treated better, so that they may be held up as models to others, so that private employees might be treated likewise.

The Honourable Shri Jagjivan Ram: I referred only to running sheds, not to factories.

Mr. B. K. Sidhva: You have mentioned in your speech they are better off. I am not making an argument haphazardly or generally. I have given the specific instance of the drainage system. If the Honourable Minister wants I can quote a number of other instances. I would suggest that the sweeping, drainage and other facilities should be entrusted to the municipality and the railways should pay them their charges. In some places the railways entrust the work to municipalities. In most of the places they think that departmentally they will do better work. There have been instances where the municipalities had to make complaints to the railways that their sanitation not being satisfactory mosquitoes were breeding and spreading to the neighbouring areas and were likely to affect the health of their areas and therefore they must see that mosquitoes are prevented from breeding. These are instances.....

The Honourable Shri Jagjivan Ram: Let the Railway Minister come.

Mr. B. K. Sidhva: I would request the Honourable the Labour Minister to convey to the Railway Minister if he so chooses. There is a provision in the Bill to draw the attention of the railway. I feel that this Bill should be applied to the railway employees also. What acts have we got for railway employees which are more beneficial to them? This is a government law, it is not a private law and it is government servants who will be benefitted, and who will be treated better. Why do you treat them separately? If it is argued that they get better amenities, then you are giving less facilities to other labourers, although I deny it. Granting for argument's sake that you do give better facilities, then you stand open to the charge that you give better facilities to your own men. The factory labourer should be treated equally. This type of iniquitous method of the foreign government, *vis.*, treating our employees or labourers differently should be done away with. These are our laws and they must all come within our law.

There are other items which I would like to talk about but I would leave to the speakers who follow me. Let them discuss minutely the provisions of this Bill and bring its defective side to the notice of the Government. They might put before him the bright side also and I have done that as well and I hope I will not be charged that I have not mentioned the bright side. I have mentioned it in my preliminary remarks. At the same time it is my duty to point out what I feel, namely that the measures are inadequate.

Quotation often helps the Honourable Minister more than mere arguments. I was referring to the Geneva Industrial Labour Conference. (*Prof. N. G. Banga* "What date?") 1938. What is said in 1938 holds good today. I wish that the recommendations of 1938 had been implemented. I would have given applauses to the Government but my regret is that 1938 conditions are existing today. While welcoming some of the provisions of the Bill I hope that the Honourable Minister will bear in mind the general remarks that I have made as far as inspection and implementary are concerned. Particularly I lay stress on that subject and I repeat that unless he takes strong measures on that matter, these clauses will remain on paper only and the disputes and bitterness that exist will be difficult to remove.

Shrimati G. Durgabai (Madras: General): Mr. Speaker, Sir, I am really very happy that I am given an opportunity to congratulate the Honourable the Labour Minister who has brought forward again a measure which in my opinion and also in the opinion of the House is a charter of rights guaranteed to the workers working in factories and other work-houses. Indian labour has certainly ample reason to be proud of our Labour Minister in whom they have truly found a champion of their rights and a protector of their interests.

The House is aware that the Bill is designed to secure to the workers the advantages of citizenship, a clean and healthy place where they are to work,

a guarantee of leisure during their toil and an adequate enjoyment of the fruits of their labour. Let us hope that with these guarantees the worker, who is the backbone of our industry, would be able to realize his personality and put forth his best to the prosperity and progress of our country. Let us also hope that the discretionary powers given to the Provincial Governments do not tend to water-down the guarantees laid down in this Bill but to enable them to see that their scope is enlarged to make the worker a responsible partner in industry. The worker puts forth, as I have already stated, his might and contributes his best to the progress of the industry only when he is made to realize his personality and also made to feel that he has got an existence of his own. I must state here my experience. I was simply shocked to see the pockets and the person of the workers being searched when they come out of the factory as soon as the whistle blew. This sight is really abhorring. No individual who thinks that he has a personality of his own can ever put up with such practices. I wonder why anybody should think that these workers are prone to carry away a tool in their pockets and that they are thieves. The pockets of storemen and clerks working in the same factory, who are practically drawing less than the skilled labourers, are not touched. Perhaps this is due to the difference between 'wages' and 'salaries'. I feel that unless such practices are stopped no amount of paper rights and law-making would achieve our purpose. Everybody would admit that this practice destroys the personality of the worker and also humiliates him. Therefore we must take note of it and see that wherever these practices are prevalent they are stopped. I do not mind even if such a practice is made an offence and also penalised.

I have not got much to say on this measure because I am in general agreement with all the provisions of this Bill. I really welcome this Bill as it has emerged out of the Select Committee. But one or two things on which I should like to make a few observations are these. One is about the provisions relating to the hours of work regarding women. I am inclined to agree with Mr. Santhanam and his friends who have put a dissenting minute and I do not really want to speak much on this point because when the authors of the dissenting minute speak they would enlarge the point. I agree with them that the hours of work for women, especially the hours between 10 P.M. and 5 A.M. are really not conducive to them. May be that it will be another opportunity to get a second shift and all that, and the absence of that may not induce them to put more of their energy in the work and earn more. But I feel that work between these hours is really not conducive to their interests and it is likely to abuse their powers. As I have already stated, I leave this point to be explained by the authors of the dissenting minute.

I have another observation to make and that is with regard to leisure. Instead of providing for long intervals of rest for every five hours why not reduce the time? That is, instead of giving one hour or half an hour for every five hours would it not be better if we provide for this interval for rest every two hours and thus reduce the time of that interval for rest to fifteen minutes. In this regard the Baroda model factory have put forward some suggestions which the House is aware of—at least those who have read those suggestions. Therefore I am not going to speak elaborately on that point. They have provided for certain intervals for rest which may very well be adopted by us. Of course it might be said that already it is the Provincial Government's jurisdiction to make some such rules wherever they find it convenient—in the factories where they find it necessary to provide for such things. But a directive or a recommendation may also be made by the Central Government in the scope of their general power to make such recommendations to the Provincial Governments.

Sir, I have done and I do not wish to say anything more because as I have already said I am in general agreement with all the provisions of this Bill and I welcome this Bill.

Shri H. V. Kamath (C.P. and Berar: General): Mr. Speaker, Sir, I welcome this measure as a big step forward. It is a happy augury for the future that in the second year of our freedom our Legislature is going to enact a measure of this kind and scope. The other day the Honourable Minister, in moving the Bill for the acceptance of the House, told us that the very fact that the vested interests such as the representatives of employers opposed many of the provisions of this Bill goes to show that the measure is a very big step forward in labour legislation. He told us in his speech that at the Tripartite conference which was convened by Government, the representatives of the employers were opposed to certain details such as the extension of the scope of the term 'factory', the elimination of the distinction between 'seasonal' and 'perennial' factories, the pre-licensing of factories, the making of compulsory provision for the maintenance of canteens, the making of provision for sitting facilities, etc. On the other hand the workers welcomed many of the provisions—the Bill in almost its entirety. It is a significant fact that even the All India Trade Union Congress did not formulate any serious objections to the Bill when it was circulated for public opinion. After that the Select Committee has made many more changes in the measure as it has been brought before the House today, and I feel I voice the sentiments and the opinions and the views of this House when I say that the changes made by the Select Committee and embodied in this Bill represent a great measure of progress in labour legislation. Time was when our factories and our factory owners, the employers, used to concentrate more on the production of goods, and the good of those who produced these goods in an abundant measure for the employers' benefit, was relegated to the background. Apart from the fact that maldistribution of wealth creates discontent in every society it is also a patent fact that the conditions under which labourers work in factories is a very potent source of industrial discontent and industrial unrest.

Sir, till a few years ago our country was not very far different, or very much better, than what Britain was in the first half of the last century. Labour conditions—hours of labour and working conditions—were so bad inside factories and outside factories that even poets took up cudgels, took up their pens in favour of labour and against capitalist employers. Not merely statesmen, not merely socialist agitators, but even poets like Shelley wrote exhorting labourers not to work for such employers. Shelley said:

"Wherefore weave with toil and care
The rich robes your tyrants wear",

because, Sir, the conditions were so bad, so inhuman that the labourers inside factories were looked upon and treated worse than even cattle and the conditions told upon their health and upon their life. The workers had no joy in their labour, and when work ceases to produce joy, to inspire joy in the worker or the labourer, that work is almost a crime towards the individual and also a crime towards society. Mahatma Gandhi was never tired of stressing this aspect of work,—creative work where the worker takes a joy in his labour, where the worker feels that work is as attractive to him as any activity, say even play outside the factory. We must create conditions for such kind of work, such creative, joyful work, for our labourers who produce the wealth of our country.

Till a few years ago, our employers and our labourers—the owners and the workers in factories—were in opposite camps and almost every factory was a house divided against itself. While the workers had to tighten their belts, the owners had almost always to loosen their belts, because while the pockets of the owners bulged with profits, almost ill-gotten gains I would say, the labourers starved and there was nothing for them to put in their pockets. The conditions under which they worked—men as well as women—left no room

for them to enjoy their life—not merely inside the factory but even at home after their day's labour, because they went home so tired and so fagged out. Conditions inside the factories were most insanitary, ventilation was bad and there were no measures for the health, safety and welfare of workers, and when they went home they had no leisure and not even any capacity to spend their leisure usefully inside their homes.

I would like to touch upon one or two points which have been made out by previous speakers. As regards most of the points that have been raised by my friend Mr. Sidhva, I am sure the Honourable Minister is quite competent to take charge of these matters and he will reply to him suitably. But there is one point which Mr. Sidhva made out as regards urinals and latrines. If he turns to Section 19 of the Bill, my honourable friend will see that under sub-clause (1) parts (d) and (e), it is said:

"(d) all such accommodation shall be maintained in a clean and sanitary condition at all times;

(e) sweepers shall be employed whose primary duty it would be to keep clean latrines, urinals and washing places."

Further on, in sub-section (2) of the same section, part (c) lays down that—

"(c) without prejudice to the provisions of clauses (d) and (e) of sub-section (1), the floors, portions of the walls and blocks so laid or finished and the sanitary pans of latrines and urinals shall be thoroughly washed and cleaned at least once in every seven days with suitable detergents or disinfectants or with both."

Mr. Sidhva raised a pertinent point about disinfectants and phenyle and other substances but if he had read this portion of the Bill very carefully I feel he would not have stressed this point to the same extent as he did.

My honourable friend Shrimati Durgabai raised the other point about the employment of women. I think she has slightly misunderstood the minute of dissent, if I may say so, that has been recorded by my honourable friends Mr. Santhanam, Mr. Khandubhai Desai and Mr. Gokulbhai Bhatt. If you turn to Section 88 of the Bill, there the proviso to sub-section (1) reads thus:

"Provided that the Provincial Government may, by notification in the Official Gazette, in respect of any class or description of factories, vary the limits laid down in clause (b), so that no such variation shall authorise the employment of any woman between the hours of 10 P.M. and 5 A.M."

Mr. Santhanam's minute of dissent refers to this proviso and he wants this proviso to be deleted, that is to say, the emphasis of Mr. Santhanam's minute of dissent is on the employment of women between 7 P.M. and 10 P.M. and also between 5 A.M. and 8 A.M. and not between 10 P.M. and 5 A.M. which the Bill specifically does away with. I wonder how my friend Shrimati Durgabai thought fit to stress this point in her speech. I am afraid she has not read the Bill very carefully. The Select Committee included one of the distinguished women members of this House and I believe she is not opposed to this proviso as it stands, and I have no ambition no desire to be more feminist than a woman. I feel that when a woman member, an enlightened woman member, of this House has no opposition to this measure, I see no reason why we men should step in where women do not want to tread.

Then, Sir, my friend Mr. Sidhva raised a very important point about implementation of the Act. Many Governments—I would not say our Government in particular, but many Governments all over the world—have come into discredit because their Acts have remained mere dead letters, and many wholesome and salutary measures that were enacted were never implemented either due to the callousness or indifference of the officials or due to the non-co-operation of those for whom they were meant. But here in this Bill, as Mr. Sidhva pointed out, we have made provision for penalties in either cases. We have laid stress on the obligation of the workers inside the

[Shri H. V. Kamath]

factories and also on the duties of the employers with regard to the amenities to be provided for workers inside the factories. I only hope that these penalties which have been laid down in the 10th Chapter of this Bill will be strictly enforced, because we find, especially after the attainment of our freedom in August* last, a tendency to see that many of the measures do not work in the spirit in which they were intended to work. I will quote just one or two instances—perhaps very ordinary occurrences. If we keep our eyes and ears open when we walk about Delhi or New Delhi today, you will see many things happening which we, all of us, if we have the requisite social sense and social responsibility, would not let them happen. Only a couple of days ago, I had gone to the Qutub Minar and there I found very prominently displayed the boards "Keep off the grass", but on one fairly big grassy lawn I saw a whole cricket team with all their implements and paraphernalia playing a cricket match, and I am sorry to say that there was a very prominent Government official also, who was quietly watching the whole *tamasha*. I went to one of the Chowkidars and said, "What is all this? You have got the board 'Keep off the grass' and there you have got a whole cricket team with children and urhins and everybody squatting on the grass and one or two Government officials also thrown in. Why don't you tell them to clear out?" It is a very sad thing that we encourage such things ourselves. Most of them were educated persons. I would not have minded children playing there, but educated persons with the board "Keep off the grass" before them were playing there. I told the Chowkidar and he went and told them. But he was told: No. no.

हम कुछ नहीं कर रहे हैं खाली खड़े हैं"। But he said : "मैं देख रहा हूँ कि आप लोग घास में खेल रहे हैं"। They replied : "नहीं, हम तो ऐसे ही खड़े हैं और देख रहे हैं"। The Chowkidar came back and said : "मानते ही नहीं साहब"। "मानते ही नहीं"।

If that is the spirit in which we are going to work our freedom, I say, God help India.

I would also in this connection stress the importance of Government officials too working the Act in the spirit in which it is intended and where vested interests are concerned, especially where employers are concerned, where owners are concerned. I hope they will deal with them with as much severity, as cruelty and as much harshness as they would ordinarily do in the case of a labourer inside the factory. That is the spirit which we need today to galvanise our social life, our industrial life and our national life in all its various phases. Without that co-operation on the part of the people, without that wholehearted devotion to duty on the part of the officials, our freedom will be empty. If measures are worked without indifference weakness and callousness, I am sure they will go a long way; otherwise even this measure is likely to remain a dead letter so far as a good bit of it is concerned.

I personally wanted certain more facilities and amenities provided to workers. I think we can take a leaf out of the U.S.S.R. especially in this particular sphere of factory labour legislation. I have myself seen some of the Russian factories before the second World War. I have also seen some factories in England and some factories in Germany. I was impressed with factories in Russia on account of the farthest extent to which they have gone in providing facilities and amenities and conveniences to workers inside factories. One thing which I wanted to be incorporated in this measure was as regards canteens. I think in this connection we have to refer to clause...

The Honourable Shri Jagjivan Ram: Do not worry about the clause. Go on.

Shri H. V. Kamath: My honourable friend the Labour Minister says I need not bother about creches but I hope you, Sir, and the House will pardon me for referring to this matter.

The clause is 48. In clause 48, sub-clause (8) there is a provision that Provincial Government may make rules. In part (b) of that sub-clause there is a provision requiring "the provision in factories to which this section applies of additional facilities for the care of children belonging to women workers, including suitable provision of facilities for washing and changing their clothing." I wanted just an additional item to be introduced and that was because children are concerned here—children below the age of 6—I thought it would be useful and it would be appreciated by mothers and children, if the children were provided with small toys for play. It is provided in almost all Russian factories. Not merely are there conveniences and amenities for washing and changing of clothing—in big Russian factories they have a radio playing, and where there are no radios, they give gramophones—but a good number of toys of various types and descriptions are provided for children to play with. After all, children cannot sit still there. If there are amenities for washing and changing clothing, that is so far as mothers are concerned. Mothers will do that bit of the work, but what about the children? When they are left alone, and there is just a little water and just their clothes, I suppose they will feel bored stiff. They will get into other kinds of mischief. When we want to prevent them from other kinds of mischief and want to guide them on the right lines, we must provide toys and picture books. That will go a long way towards educating our children right from the beginning, from their early childhood. That is one item which I wanted to be added and I hope the Honourable the Labour Minister will consider this when he enlarges the scope of this Bill as we move forward in our freedom, for after all as he has said this is only the first step.

Then, Sir, I wanted another thing and that is a provision which would enable the workers to ventilate their grievances right on the spot instead of waiting for the official red tape and the proper channel and what not. This again is a feature which I found in many of the factories in the U.S.S.R. I refer to what they call in Russian—well, I don't remember the Russian—the nearest English word would be the "Wall newspaper". Here is a concise description of what the "Wall newspaper" is like. I would read it as it is:

"A powerful weapon of criticism is the wall Newspaper, in which the workers as a whole represent their views on the current events or the local issues. Inside the factory the wall newspaper hangs on the wall like a glorified Notice Board, but a glorified Notice Board with articles and other piece of news and complaints written by all members of the factory organisation."

It might of course be only the trade union workers or the members of the workers' representatives, but that sort of thing ought to be encouraged in our factories. I quite recognise the danger inherent in it, because it may well be said that our workers are not well educated, not well trained, they have no responsibility, they are sometimes inclined to be irresponsible and so on, but while we are going to encourage trade unionism on the right lines I see no reason why this sort of ventilation of grievances right inside the factory should be discouraged, especially as it would go a long way towards cementing co-operation between employers and employees in the ultimate analysis. Of course, in the beginning it might be abused, but when they find that if they make good use of it it will mean that their grievances would be redressed on the spot without delay, the labourers themselves would be very careful in using this "Wall Newspaper" and they will not tend to abuse the facility extended to them.

[Shri H. V. Kamath]

There is another feature which I would like to have seen introduced. Our workers are after all poor. India, is well-known for her abysmal poverty, and though our workers are, of course, better off today than they were some 20 years ago, yet certainly it cannot be gainsaid that our workers, on the whole, compared to Western standards, or at least many of the countries in Europe or America or Australia, are comparatively worse off so far as their economic condition is concerned. I want that the employers or the factory owners in every factory should provide the labourers with working clothes, especially in big factories where the employers are known to make phenomenal profits. They could easily afford to get sets of working clothes to the labourers so that they could save their own clothing for home wear. Otherwise, what happens is, that the workman goes to the factory in the same clothes—his home wear—and naturally the clothes do not last very long. Considering the present scarcity of cloth,—and I hope that this won't last very long; we have taken very stringent measures and let us all pray that our Government may succeed in providing enough cloth to the poorest man in our country, but certainly, we are not prophets, and we cannot say how long this scarcity will last,—we should satisfy our labourers by providing them with working clothes, for use only inside the factory, so that they could go to the factory, doff their clothes, don their factory apparel, and when they come home in the evening, change their clothes again and put on their home clothing. And if this reform was introduced, I would insist also on a dressing room inside the factory. In some of the factories in the West where working clothes are provided for the workers, there are dressing rooms also inside the factories.

It was Professor Pigou of Cambridge, who in one of his famous addresses asked his audience: "What is the beginning of economic science?" He remarked: "'Wonder' said Carlyle 'was the beginning of prayer', but it is not wonder, but rather the social enthusiasm, that revolts from the sordidness of mean streets and the joylessness of withered lives, that is the beginning of economic science."

I hope, Sir, that we in our newly born freedom, we will generate, we will create sufficient social enthusiasm, social responsibility, social sense in ourselves and in our neighbours so that India will again rise to her heights of old, and every one in India will have life and have it more abundantly, so that Mahatma Gandhi's dream of Rama Rājya may become a living reality at no distant date.

The Assembly then adjourned for Lunch till Half Past Two of the Clock.

The Assembly re-assembled after Lunch at Half Past Two of the Clock, Mr. Speaker (The Honourable Mr. G. V. Mavalankar) in the Chair.

Mr. Hossain Khan (Bihar: Muslim): Sir, I welcome this measure as an important piece of legislation which was much needed. I had hoped that it will provide for certain deficiencies in our factory laws; but I regret that some of them have not yet been made up. I refer to the particular point which I have been urging before also that facilities for training labour to become better workers are singularly lacking. No provision is made in the welfare section for the compulsory provision of Technological institutes or evening classes for the labourer to learn to work and become a better worker.

Secondly, no provision is made for the education of children. Provision of primary school for the labourers' children where a large number of workers are employed is a necessary one, a provision which many of the bigger companies like the Tatas have already provided themselves, without any prompting from the Ministry.

I also regret that, as usual, many of the powers have been left to the executive to be prescribed by rules. For instance, in the matter of provision of medical attendance, the power has been left to the provincial Government to lay down the manner in which and the scale at which this provision will be made. I welcome, Sir, the provision in the Bill that the Central Government will have the power to issue directives to the provincial Governments on any matter arising out of this legislation. While upholding the glory of provincial autonomy, it goes without saying that in order to have uniformity and a high standard of work, it is necessary that the Centre must retain the power of issuing directives in cases where it is necessary.

The provisions made in the Welfare sections are good and much in advance of the existing conditions. So far they are very welcome; but in order that there may be uniformity, it is necessary that certain regulations, not in the form of regulations, but in the shape of directives should be prepared by the Ministry of Health and Ministry of Labour jointly to lay down a kind of plan on which the provincial Governments should work. I believe, Sir, that with the present day increase of industrialisation in India, it is necessary that labour should get a fair deal and get the highest amount of amenity which it is in the power and within the competence of the Government to give. But, at the same time, it is necessary that labour should also realise that it owes a duty not only to the capital, but also to the general public that it must work wholeheartedly and with full vigour. In this particular piece of legislation, no provision has been made in order to induce this feeling in labour. As I said in the beginning, the provision of technological institutes in the bigger factories would help a great deal in increasing the efficiency of labour.

Last time I spoke I had drawn attention to the fact that Indian labour in the mines was not efficient. Some honourable members retorted that they were quite good and the fault was that of capital. I have just refreshed my memory, and from the statistical reports on coal, I find that efficiency has fallen. The raising power in 1942 was 203 tons per person per annum, whereas in 1943 it went down to 170 tons per annum per person. Whereas Rajputana gives a per person figure extraction of 293 tons, Bihar which produces the largest amount of coal if India gives only 104.63. I just mention these things in order to draw attention to the fact that it is not by pampering labour that you can improve the standard of living and increase the national wealth of India, but it is by increasing the efficiency of labour that both labour and the country will be better off. If capital is not providing them with modern tools, the power rests with the Government to order capital to provide them with better implements. It is no excuse to say that the failing is that of capital. I say either if capital fails or if labour fails, both are failing the nation and the nation as the supreme body can demand that both must do their best and give the best result that can be obtained. I welcome this measure.

Shri Ajit Prasad Jain (U.P.: General): Mr. Speaker, I join with other honourable members of this House in congratulating the Honourable Minister for bringing this nice piece of legislation. The whole problem has been approached in a generous spirit and all reasonable suggestions for the welfare of labour or for bettering its lot have been accepted. The Select Committee has been actuated by the same motive and has improved the Bill in many respects. To enumerate only a few improvements made by the Select Committee,—printing presses and shipbuilding industries have been included within the definition of "manufacturing process". In the original Bill only 350 cubic feet of space was provided for each labourer and now it has been raised to 500, which is 100 more than what is provided in England; and that is very necessary on account of climatic condition. Other important changes relate to the clarification of the provisions for the payment of overtime charges in which all the allowances will be included, and the liberalisation of the leave

[Shri Ajit Prasad Jain]

rules. The Select Committee has amended the definition of "worker" and has included clerks and managerial establishment within the purview of this law. Up till now clerks and managerial staff were governed by the Shop Assistants and Commercial Establishments Acts of the different provinces. So far as the change goes I think it is an improvement, but this Bill nowhere says that in future the different laws passed by the provincial Governments, ordinarily known as Shop Assistants and Commercial Establishments Acts, will not be applicable to the factories. It may be that as a result of the application of these two Acts there might arise complaints and conflicts with regard to the hours of work, to the leave rules and other concessions. I think a specific provision should have been made to the effect that the Shop Assistants and Commercial Establishments Acts will not be applicable to the clerical and managerial staff of the factories to which this law applies.

I have submitted that the whole approach to this problem has been a very healthy and generous one, and therefore if I proceed to offer some suggestions it is not in a spirit of hostile criticism or of denunciation but with the idea of being helpful. One very striking feature of this Bill is the over-anxiety to provide for exemptions. In the Statement of Objects and Reasons it was stated that in the existing Act too many rule-making powers were left to the provincial Governments. Some of them exercised those powers properly and others did not, with the result that the working of the existing Act did not prove satisfactory. That has been changed and now one uniform set of laws has been made for the whole country. But there are numerous sections in which provincial Governments have been given the power to make exemptions. I quite realise that the principles governing rule-making powers are different from those governing exemptions. Even then I feel that too many exemptions have been provided in this Bill. I will illustrate that by referring to some provisions of this Bill. I will draw attention to clause 56 which begins with these words:

"Save with the permission of the Provincial Government and subject to such conditions as it may impose, either generally or in the case of any particular factory."

This clause 56 gives powers to the Provincial Government to exempt a factory from the application of its provisions.

Now we come to clause 64 (2) which lays down a similar provision:

"The Provincial Government may make rules in respect of adult workers in factories providing for the exemption, to such extent and subject to such conditions as may be prescribed."

Among the different items following section 56 is everywhere included. But the thing does not end there. Sub-clause (2) of clause 65 again confers these powers upon the Provincial Government:

"The Provincial Government or, subject to the control of the Provincial Government, the Chief Inspector, may by written order exempt . . . any or all of the adult workers in any factory or group or class or description of factories from any or all of the provisions of sections 51, 52, 54 and 56."

I think that the thing has been overdone and the same provision has been repeated thrice. A careful study of these three clauses will show that there might be even conflicting conclusions and effects resulting from these three clauses. In this connection I might also draw attention to clause 29(2) (b) which lays down:

"The Provincial Government may make rules in respect of any lifting machinery or class or description of lifting machinery in factories—

(b) exempting from compliance with all or any of the requirements of this section, where in its opinion such compliance is unnecessary or impracticable."

A perusal of the main provisions of clause 29 will show that it lays down certain minimum standards for ensuring the safety of workers. For instance, it says that cranes and other lifting machinery must be of good construction and sound material and properly maintained; that no machinery shall be overloaded; also that:

"While any person is employed or working on or near the wheel-track of a travelling crane in any place where he would be liable to be struck by the crane, effective measures shall be taken to ensure that the crane does not approach within twenty feet of that place."

I have carefully perused this clause and I see no reason why the very sound principles which have been laid down in this clause should not be made compulsory for every factory. They are the very minimum standards which are necessary for safeguarding the workers from accident and injury, and no exemption should be provided.

I will not take the time of the House by giving many more examples. I may, however, refer to sub-clause (6) of clause 36 which also gives the power of exemption to Provincial Governments. This clause deals with precautions against dangerous fumes. Sub-clauses (2) and (3) refer to certain very necessary and fundamental matters to save workers from injury. I do not see any reason why an exemption should be provided here. I can well understand that the power of Government to prescribe suitable breathing apparatus, reviving apparatus, belts and ropes and other things may be relaxed in the case of some factories but the exemption that has been provided is far too liberal. I wish greater care had been taken in providing these exemptions and I do hope that the Honourable Minister, as he proceeds with the Bill, clause by clause, will either accept the amendments tabled or will himself bring forward amendments whereby these exemptions may be brought within reasonable limits.

Another very great defect which I find in this Bill is that it has not made a fair deal to women. Only a short while ago, the Honourable Mrs. Durgabai complained that clause 66 of the Bill provided for an exemption whereby a Provincial Government could permit the employment of women between the hours of 10 p.m. and 5 a.m. In fact, she stated the proposition a little too broadly. The main clause of the Bill limits the hours of working in case of women from 7 a.m. to 6 p.m. The Provincial Government has, however, been given the power to relax these hours but the relaxation will not entitle the Provincial Government to make women work from 10 p.m. to 5 a.m. The only exception is in the case of the fish industry and fish canning. Even that exception in my opinion should not have been provided. Women have to look after children. There might be mixed labour in a factory where fish curing and fish canning is carried on, and taking every factor into account, the duties of women towards their family-folk and children and the question of morality, I think that whatever other methods for fish curing or fish canning may be adopted, and whatever other type of labour may be employed, no woman should be employed for any industrial work between the hours of 10 p.m. and 5 a.m. and the exemption provided in the sub-section should be deleted.

[At this stage Mr. Speaker vacated the Chair, which was then occupied by Mr. Hossain Imam (one of the Panel of Chairmen).]

Shri H. V. Kamath: On a point of clarification, I might say that this exemption was embodied because of the habits of the fish which man cannot cure. Fish are caught in the evening or late at night.

Shri Ajit Prasad Jain: If man cannot cure those habits, surely it is not for woman to cure them. Fish can be canned and cured either by men or by women. At night employ men labour and in the day employ women labour. There is no objection to that.

[Shri Ajit Prasad Jain.]

The Bill is defective in the respect that it makes no special provision for women. For instance, there is a clause in this Bill—Clause 84—which relates to the lifting of weights. It lays down that no one will lift a weight which is heavier than he can actually carry without injury to his health. But it does not prohibit the employment of pregnant women. Besides, there may be some female workers between the ages of 14 and 18. Then there will be the male children and adolescents. Weight-lifting is very strenuous and particularly for pregnant women; for females who are not adults and for young children this is not a proper type of labour. I wish an exemption could have been made, prohibiting the employment of these categories of workers in weight lifting.

All over the Continent of Europe and in advanced countries, women and young persons have been prohibited from carrying on certain kinds of strenuous and dangerous works. Some of these have been defined as—

"(a) Work at a furnace where the reduction or treatment of zinc or lead ores is carried on:

(b) The manipulation, treatment or reduction of ashes containing lead, or the desilverising of lead:

(c) The manufacture of any oxide, carbonate, sulphate, chromate, acetate, nitrate or silicate of lead:

(d) Mixing or pasting in connection with the manufacture or repair of electric accumulators:

(e) The cleaning of work-rooms where any one of the processes aforesaid are carried on."

There is no provision in the Bill that women and young persons should not be allowed to work in such processes. I wish that a prohibition should have been provided.

There is one other provision in this Bill which might create a lot of difficulties in its working. It relates to the owners of the premises. The Bill ordinarily makes the occupier or the manager of the factory responsible for carrying on the provisions of the Bill, and the occupier or the Manager can be penalised for a breach or violation of any of these provisions. Section 93 deals with owners and it says that where in the same premises, or in the same building, or in the same room, there are more than one factories working, the manager or occupier of the factories shall not be responsible but the owners of the premises. I have not been able to appreciate the principle underlying this clause. Once the owner has let out the premises to an industrialist he retains no dominion or control over those premises. What I think should have been provided in the Act is that either the occupier or manager of one of those factories, or the occupiers or managers of a number of those factories, or of all the factories should have been made jointly and severally responsible for all these works, because it may not have been possible to find out which of those managers or occupiers was actually responsible for any breach or violation. The Bill lays down certain saving clauses in the case of managers and occupiers. If a worker has been responsible for the breach of any of the provisions, the occupier or manager can bring forward that worker and save himself. But that privilege has not been extended to the owner.

Section 93 will show that far too extensive responsibilities have been laid on the owner which he can never discharge. An owner has been made responsible for any breach of rules regarding the carrying of weight. If the Provincial Government lays down that an adult worker shall carry only so much weight, a woman shall carry so much weight, an adolescent shall carry so much weight and a child shall carry so much weight, and there is a breach of the order in a premises building or room where there are more than one factory, it is not the manager or the occupier who will be responsible but the owner. I think that is very unfair. Surely the owner has no control over the workers.

Clause 85, relates to the protection of the eyes. How can you expect the owner of a building to make sufficient provision for the protection of the eyes of the worker?

I will not take the House through all these clauses. Perhaps it is enough for me to show by illustrations to what absurd length the responsibility of the owner has been extended—a responsibility which he can never discharge. I suggest that this particular clause of the Bill should be looked into once again and properly amended.

I have said many things in praise of the Bill but in places I find that the
 3 P.M. drafting has left quite a number of lacunas, things unprovided for, which should have been provided. For instance, clause 100 relates to firms and associations and lays down that all or any one of the partners of a firm or association will be responsible for certain acts in violation of the provisions of this Bill. That is perfectly sound. There is, however, a proviso according to which a firm or association can nominate one of its members for doing work and if there is a violation that particular member will be responsible for the violation. This Bill has now been extended to the acceding States. Under the Government of India Act a province means one of the provinces enumerated under the Government of India Act and not an acceding State. It should have been specifically provided that a reference to a province will include also an acceding state. The result of the existing provision is that while in a Province a firm or association has a right to nominate one of its partners or members to perform the duties of occupier or manager and to bear the responsibilities for violation a partnership or association in an Acceding State has no such right. I know that this omission will be made up. "

Mr. Chairman: I hope the honourable member has given some amendments on these lines.

Shri Ajit Prasad Jain: Yes, Sir. I have given some amendments. These are some of the features to which I wanted to make reference. But before I conclude I must say a few words in support of what my friend Mr. Sidhva said. It is all very well to lay down good laws. We all feel flattered when we enact advanced laws but laws by themselves are nothing unless they are implemented. My own experience of the working of the present Act has been that whatever good features it possessed, and it did possess many good features, in practice they were not implemented. In many of the districts there is no Labour Inspectors. There is a sort of omnibus Inspectors in the shape of the Collector of the district. The present Bill makes all Collectors Factory Inspectors. But we all know that Collectors are overburdened with other things. They are more concerned with problems of law and order. A collector is something like what we have in jails, a *tasla*, in which one can drink water or which one can use for purposes of eating or as a pillow to sleep on or something to fight with. That is the type of official a collector is. He does almost anything and every thing but does very few things well. Labour is a specialised problem. To leave the question of inspection to a collector would be something very improper.

It might be flung at my face that the collector is only one of the inspectors and that the power has been given to the provincial government to appoint other inspectors. That is true but we are apt to be complaiscent. Once the Provincial Governments find that they have a factory inspector in the shape of a collector they may not be so vigilant or careful to appoint factory inspectors, who are specialised persons. In fact this provision for appointing collectors as factory inspectors has a little history behind it. When the first Factory Act was passed on behalf of the factory management it was represented that they must have a comfortable sort of person, a compromising sort of person and it was at their request that the collector was made a universal

[Shri Ajit Prasad Jain.]

factory inspector. I think in working this law factory inspectors must be appointed for each and every area and may I suggest that the Central Government should retain to itself the power of direction, so that wherever a provincial government does not perform its functions properly the Central Government might force its hands to act properly. We all know that the provinces in India are in different stages of industrial advancement. Certain backward provinces are not up to the mark. They are not in a position to compete with other provinces which are more advanced. They might show laxity in the observance of the provisions of this law. It is therefore all the more necessary to provide for central direction of the executive measures, just as we have found it necessary to provide for central legislation.

Shri K. Santhanam (Madras: General): May I point out that clause 118 provides exactly for this contingency?

Shri Ajit Prasad Jain: Yes, Sir. I stand corrected. But I wish that a liberal use of this power should be made. At this stage it is unnecessary for me to refer to all the various provisions of this Bill. In fact there are many things which I would like to say but there will be other stages of the Bill when I shall have opportunity of having my say. Once more I would congratulate the Honourable Minister for Labour for bringing this very advanced piece of legislation for the welfare of the workers.

श्री गोकल भाई वीलतराम मट्ट : माननीय सभापति जी, बजट्रों के सम्बन्ध में हमारे नेता क्या कर रहे हैं और हम कहाँ जा रहे हैं, इस विषय में हमारे माननीय मंत्री जी ने काफी प्रकाश डाला है। १९३४ के फेक्टरीज ऐक्ट में किस तरह से विकास होता रहा, यह अभी बतलाने की जरूरत नहीं है, क्योंकि १९३४ के फेक्टरीज ऐक्ट और उसके बाद सन् ४४, ४५, ४६ और ४७ में जो परिवर्तन हुये और आज हमारे सामने जो बिल आ रहा है उसकी देखने हुये किसी को भी यह पता लगेगा कि हमने बहुत कुछ आगे कदम बढ़ाया है। यह बात ठीक है कि अगर एक कानून मुकम्मिल बनाना हो तो उसको कई दिन तक, कई महीनों तक, कई साल तक पड़े रहने दिया जाय और बारबार लोगों के सामने उसको ओपिनियन (opinion) के लिये भेजते रहें और अगर उसके बाद भी हम कानून को बनायें तो भी हमारे मेम्बर मित्र हस्तमंजरी सिधवा जैसे को इससे पूरा सन्तोष होगा या नहीं, इसमें मुझे बड़ी शंका है। वैसे तो कोई बीज हम ऐसी नहीं बना सकते जिसके विषय में हम कुछ न कुछ न्यूनता न देखने पायें। जो बीज हमारे मंत्री महाशय ने हमारे सामने रखी और छानबीन समिति जिसकी छानबीन कर चुकी है तब भी हम फिर दुबारा उसकी छानबीन कर रहे हैं। कई संशोधन आ रहे हैं। खुद हमारे मंत्री महाशय भी संशोधन ला रहे हैं और जो उस छानबीन समिति में—सिलेक्ट कमेटी में—ये उनमें से भी कई लोग संशोधन ला रहे हैं। इसके माने यह है कि यह प्रगतिशील बीज है। यह कोई ऐसी बीज नहीं है कि एक रोड़ा या ईंट वहाँ रख दी वह ईंट हम वहाँ से सरका नहीं सकते। हम तो ऐसे जमाने में रह रहे हैं जब कि हमारी दृष्टि जितनी जितनी व्यापक होती जाती है, उतना उतना हमारा कदम भी आगे बढ़ता जाता है। वैसे इस भवन में देखिय, जब हमें वहाँ बैठने की मुसीबत हुई तो हमारे भवन को और विस्तृत करने के लिय बड़ा बनाने के लिय घोड़ा बहुत सुधार भी हुआ। वह ठीक हुआ या गलत आ, वह तो दूसरी बात है। लेकिन हमें भवन बड़ा मालूम होता है। इसी तरह से कानून का भी यही रिवाज है और १९३४ से १९४८ का वह जो कानून है उसमें किस प्रकार की तरफ़ी हमने की है, वह मैं दोहराना नहीं चाहता हूँ। कई मित्रों ने इसके लिये हमारे माननीय मंत्री महाशय को अभिनन्दन दिया है। लेकिन मुझे खुशी इस बात की है कि

पिछले ६, ७, ८ महीने में मंत्री महाशय ने मजदूरों के मुताल्लिक जो कुछ काम किया है वह काफ़ी तो नहीं लेकिन कुछ अंशों में सन्तोष देने वाली चीज़ है और उसमें अभी थोड़ा दिन पहले ही वह बोनस (bonus) का जो सवाल आया—बोनस का जो बिल आया वह इतना अच्छा बिल था उसके लिये हर तरह से मैं मानता हूँ कि मंत्री महाशय को अभिनन्दन हमने दिया। उससे भी हम आगे बढ़कर कहें कि यह फैक्टरीज़ बिल (Factories Bill) जो है वह भी कोई मामूली सी चीज़ नहीं बन रही है। जब बिल हमारे सामने से गुज़र करके एक्ट बन जायगा उन दिनों के दरमियान इसमें कई ऐसी सबदीलियाँ ज़रूर होंगी जिससे जो हमारे असन्तुष्ट मेम्बर हैं उनको भी थोड़ा बहुत सन्तोष होगा, इसमें मुझे कोई शक नहीं है।

इन मजदूर कानूनों के मुताल्लिक एक दृष्टि यह रही है कि जो आदमी उत्पादन करता है उसका जीवन सुखमय होना चाहिये। आज तो यहां कारखानों की बात है, फैक्टरीज़ (Factories) की बात है लेकिन मैं तो यह आगे बढ़कर कहने वाला हूँ कि यह ज़माना ज़रूर आने वाला है, चाहे चन्द साल के बाद आये, चाहे चन्द महीनों के बाद आये, लेकिन एक ज़माना वह ज़रूर आनेवाला है जब कि न सिर्फ़ हम फैक्टरीज़ एक्ट बनाकर बैठ रहेंगे, लेकिन हम वर्कमैनस एक्ट (Workmen's Act) बनाकर बैठेंगे, या लेबररस एक्ट (Labourer's Act) बनाकर बैठेंगे। किसी भी क्षेत्र में चाहे वह कारखाने में हों, चाहे वह खेतों पर हों, चाहे कहीं भी हों, चाहे घर पर हों जो मजदूर जो आदमी काम कर रहे है, छोटी तनख्वाह पाने वाले काम कर रहे है उसका जो हक रहता है चार्टर आफ राइट्स (Charter of Rights,) वह चीज़ हमें लानी है। मैं यह ज़रूर मानता हूँ कि आज जिस तरह से हम तरक्की कर रहे है, जिस तरह से हम आज कानून बनाने में आगे बढ़ रहे हैं उसको देखते हुए उस गति को देखते हुए मैं मानता हूँ कि हमारे मंत्री महाशय वैसी चीज़ हमारे सामने कभी न कभी पेश करेंगे जोकि सारे हिन्दुस्तान के मजदूरों के लिये एक ऐसी चीज़ होगी वह उनका एक हक पत्र चार्टर आफ राइट्स (Charter of Rights) होगा। मैं ज़रूर इस बिल का स्वागत करता हूँ और उनका अभिनन्दन करता हूँ और मैं वह कहना चाहता हूँ कि हमारी दृष्टि इन कानूनों से बदलती रहती है। जो काम करने वाले हैं, उनको दृष्टि भी बदलने के लिये वह कानून बनाये जाते हैं। वैसे तो अगर सब इम्प्लायर (employer) अपने आप ही जो काम करने वाले हैं उनको सब सहूलियतें देने लग जायें तो कानूनों की ज़रूरत नहीं रहती। लेकिन हम जानते हैं कि इस प्रकार की दृष्टि होती नहीं है और वह दृष्टि जहां तक हममें जाती नहीं है वहां तक हमें कानून के जरिये ही उन बातों को समाज के सामने रखना पड़ता है। मजदूरों की रक्षा के लिये उनके हितों की रक्षा के लिये हमें यह चीज़ लानी पड़ती है। नहीं तो कोई वह कहे जब कि इस बिल में बतलाया गया है कि जो पावर (Power) से चलने वाले कारखाने हैं वहां अगर पिछले १२ महीने में १० आदमियों ने काम किया हो तो उस कारखाने में वह नियम तुरन्त लागू होगा। वैसे पावर (power) से न चलने वाली जो जगहें हैं, कारखाने हैं वहां २० आदमी हों या जितने भी हों, पिछले बारह महीनेमें काम करते होंगे तो उनको यह नियम लागू करना पड़ेगा। सम्भव है कि हम ज्यादा सहूलियत कानूनों के बग़ैर लोगों को देते हैं। और जो कारखानेदार हैं वह भी ज्यादा समझदार होते जाते हैं। अगर वह लड़कों की बात आगई है तो बीसह साल के लड़कों की बात हो तो तेरह साल के लड़कों को नहीं रखेंगे। उनको हम सहायता देंगे और एक धुनिबन बनावेंगे। वह लड़के कहें कि हमने जो वह बीसह साल की मर्यादा रखी है उसको बदलकर तेरह साल कर

[श्री गोकुल भाई दौलतराम भट्ट]

दिया जाय। तो इस प्रकार से यह जो मालिक हैं मिल के कारखानेदार हैं उन लोगों को यह जान लेना चाहिये कि इस बिल की जो मन्शा है, इसका जो आशय है, वह आशय यह नहीं है कि कारखानेदारों को हम नुकसान पहुंचाना चाहते हैं। लेकिन हम यह जरूर चाहते हैं कि इसमें जो काम करने वाले हैं, वह खुशी से काम करें, आनन्द से काम करें, इज्जत से काम करें और काम करके घर जब जायें तब उनको यह लगे कि हमने काम किया, रोटी पाई और हमारी जिन्दगी हमने खुश बनाई। ऐसे बिलों की यही मन्शा होती है। इस बिल में हम देखें तो इंग्लैंड का जो सन् ३७ का बिल है उससे कई दूर यह बिल आगे जा रहा है। मैं उसकी कोई समालोचना नहीं करना चाहता हूं, या तो उसकी तुलना नहीं करता हूं उसमें ज्यादा समय लेने की जरूरत नहीं है। लेकिन मैंने जहां दो चीजें देखी हैं वहां मैं कह सकता हूं कि हमारा यह जो बिल बना है वह बिल उससे कई हिस्सों में हम आगे जा रहे हैं और यह खुशी की बात है। इसलिये मैं अमिनन्दन कर रहा था। बिल की मन्शा यह है कि जो उत्पादन करता है उसका जीवन आनन्द से गुजरना चाहिये और उसका संसार सुखमय होना चाहिये। उस दिन भाई के० सी० लाह ने कहा था कि प्रोड्यूस और पेरिश (Produce and perish) इस बिल में तो यह बात है कि प्रोड्यूस प्रोक्योर एण्ड प्रोस्पर (produce, procure and prosper)। या बिल का जो सारांश में अगर कह दूं तो यह बात आ जाती है कि प्रोड्यूस, प्रोफिट एण्ड प्रोस्पर (Produce, profit and prosper)। इस दृष्टि से यह बिल यहां रक्खा गया है और हर एक चीज़ को हम देखें तब यह भी उससे कुछ बढ़ता हुआ सा मालूम होता है कि जो जो पाबन्दियां हम कारखानेदारों पर लगा रहे हैं, इस तरह की कई पाबन्दियां, कई ओब्लिगेशन (obligation) हम वर्करस् (workers) के ऊपर भी लगा रहे हैं। वर्करस् (workers) को भी उसमें से छूट नहीं देते। वर्करस् के भी आज ओब्लिगेशन (obligation) है जो काम कर रहे हैं वह साधनों से कर रहे हैं, जिन यंत्रों पर कर रहे हैं उस यंत्र का इस रीति से इस्तेमाल करना चाहिये, कैसी रीति से रहना चाहिये, हर चीज उसमें शामिल की गई है और वह एक सी ग्यारहवीं धारा है उसमें वह ओब्लिगेशनस् (obligations) की बात है। इसके सिवा प्रांतीय सरकार जो जो नियम इस बिल की मुसगति में रहकर बनायेंगे, उन नियमों का पालन हमारे काम करने वालों को—वर्करस् को—भी करना पड़ेगा। तो दोनों तरफ से हमारे आदमियों के दोनों समाज के हिस्सों में कई पाबन्दियां भी लगी हैं तो उसके साथसाथ दोनों को फायदा पहुंचाने की बात है। सम्भव है कि कारखानेदार यह चिन्ता करेंगे कि कई चीजें ऐसी आ रही हैं कि हम बहुत कुछ जबरन करवा रहे हैं। जैसा कि कोई कहेंगे कि अभी हमारे पुराने कारखाने हैं उसमें ५०० क्यूबिक फुट (Cubic ft.) की जगह कहां से देना सम्भव है। यह कहें लेकिन उसमें भी यह बात रखी गई है कि जिस प्रांत में वह चीज उसमें से कोई ठिकाई करने की है वह नहीं कर सकेंगे। क्योंकि हमने एक सिद्धान्त मान लिया है कि एक आदमी के लिये इतनी जगह तो जरूरी है। अगर वह कारखाने में इतने आदमी नहीं रक सकते हैं तो वहां कम आदमी काम करेंगे। दूसरे कारखाने बनाना उनको लाजिम होगा। ऐसी ऐसी बातें तो जरूर हमने वहां पाबन्दी के तौर पर रिसट्रिक्शनस् (restrictions) के तौर पर लगा दी हैं। लेकिन दूसरी पाबन्दियों को हमने प्रांतीय सरकारों के ऊपर छोड़ दिया है। इस बिल की मन्शा को ध्यान में रखकर वह ऐसे नियम बनायें जिन नियमों से इस बिल को हाजि नहीं पहुंचे। वह प्रांतीय सरकारों को हमें अधिकार देना ही पड़ता है और वही हमने दिया है। हर एक प्रांत की अलग अलग परिस्थिति

होती है और हर एक प्रान्त को चाहिये कि वह अपने वहां के उद्योगों को आगे बढ़ाने के लिये छोटे और बड़े उद्योगों को आगे बढ़ाने के लिये अपनी परिस्थिति के मुताबिक वह नियम बनायें, जैसा हमारे भाई अजीतप्रसाद ने कहा कि हम माडेल कलस् (model rules) बना लेते हैं लेकिन उस पर बमल नहीं होता है। मैं समझता हूँ कि हमारे सूबे सब ऐसे लायक हैं और ऐसे वह बुद्धिमान हैं और वह लोग भी इस बाबय को ध्यान में रखकर आगे बढ़ रहे हैं। तब हमें इतमीनान रखना चाहिये कि हमारे सूबों की सरकार जो नियम बनायेगी वह नियम ऐसे होंगे, इसके प्रतिकूल नहीं होंगे। इसमें छूट रखी गई है खास तौर से मजदूरों की ज़िन्दगी सुलभ होनी चाहिये और वह दब नहीं जानी चाहिये। मैंने एक मतभेद में वह बतलाया है और वह आप लोगों को मंजूर होगा, यह मालूम नहीं है। हमारी सेलक्ट कमेटी ने तो उसको मंजूर नहीं किया। लेकिन एक तौर से मैं यह मतभेदों को मूल जाना चाहता हूँ। १० और २० की बात एकसी रखी जानी चाहिये। सम्भव है आज हमारे मंत्री महाशय कहें कि भाई आप थोड़ा सा रुक जायें। थोड़ा सा धीरे चलिए। पहले ५० या, अब २० तक ले आयें हैं। पावर फैक्टरीज में वहां दस तक लाये हैं। चार महीने के बाद या एक साल के बाद हम घटा देंगे। लेकिन हमने वह सोचा कि सब कारखाने एक तरीके ही रखने चाहियें। इसमें कोई बड़ी दिक्कत नहीं आयेंगी।

कुछ तो ऐसा होता है कि सुगारों के वहां क छोटे से कमरे के अन्दर १५ आदमी काम करते हैं और वह ऐसी मामूली जगह में बैठे आमूषण बयैरा बनाते हैं लेकिन वहां इतनी कम जगह होती है कि वह लोग यह कहते हैं कि यह कानून कारखाने वालों और फैक्टरी वालों के लिये लागू होता है हमारे यहां इसी तरह से चलता रहेगा। तो ऐसी कई जगह हैं कि जहां पर वह सब चीजें लागू होनी चाहिये। क्योंकि हमारी मन्था यह है कि काम करने वाले आदमी ज़िन्दा दिल रहें। इस चीज के लिये जैसा कि अभी कहा गया है कि वह अलग नोट में लिखा गया है तो और आप इसे ठीक समयों और खास तौर से मैं मासनीय मंत्री जी से कहता हूँ कि मैं उस वक्त हाज़िर नहीं था लेकिन मैं ज़रूर कहना चाहता हूँ कि मेरा कथन एक ज़रूरी चीज़ है। अंग्रेजी का मुझे इतना ज्ञान नहीं है कि अभी हमारे कामत साहब ने कह दिया कि क्लॉज ६६ में जो प्रोविज़ो (Proviso) है उसमें यह लिखा गया है कि रात को १० बजे से लेकर सुबह ५ बजे तक कोई स्त्री को काम में रखने की पाबन्दी है हमारी बहिनें जो संसार की प्राणधार हैं उनका जीवन ऐसा रहना चाहिये कि वह उन घंटों पर कहीं भी न जायें। मजदूरी करने न जायें और वह आराम से रह सकें और अपनी तन्दुस्ती को ठीक रख सकें। तो सरकार का यह कर्तव्य हो जाता है कि वह इन चीजों को देखे कि उनकी तन्दुस्ती खराब न होने पावे। इसलिये वह चीज़ रखने की ज़रूरत है। अगर हो सके तो इस चीज़ को आप लोग मंजूर कीजिये।

Shri H. V. Kamath: On a point of correction, Sir. The clause lays down definitely that no power should be given to Government to employ women between 10 P.M. and 5 A.M.

The Honourable Shri Jagdev Ram: Yes, their note of dissent is wrong.

श्री गोकुल भाई दौलतराम भट्ट : एक सवाल यह था कि हमने वर्कर्स (workers) के लिये काम के कई घन्टे रखे थे अब वह ८ घन्टे तक पहुँचा है और वह चीज़ ऐसी बनी है कि हम अब सारी दुनिया के नक्शे में आने बढ़ रहे हैं। तो यह बिल इस प्रकार से यहां पेश हुआ है। और इस बिल में जो बातें रखी गई हैं वह इतनी अच्छी और ज़रूरी बातें हैं कि उसका हम ज़रूर स्वागत करते हैं।

बच्चों के लिये और बालिगों के लिये एक पर्याय रखी गई है १४ साल की है। क्योंकि हमारा विधान जो बन रहा है उस विधान में किसी भी आदमी को जिसकी उमर १४ साल की नहीं है उसको फ़ैक्टरी में और कारख़ाने में न लगाया जाये इस तरह की बात है। इसके साथ साथ मैं यह भी कहता हूँ कि हमारी सभी प्रान्तीय सरकारों और मरकज़ी सरकार के ऊपर यह ज़िम्मेदारी आ जाती है कि हमारे १४ साल के जो बालक हैं उनको शिक्षा देने का भी प्रबन्ध किया जाना चाहिये नहीं तो वे बिचारे अपढ़ रह जायेंगे और उनकी ज़िन्दगी बरबाद होती रहेंगे। इसलिये मैं प्रार्थना करता हूँ कि इस तरह का कोई ज़रूर प्रबंध होना चाहिये जिस से १४ साल के बच्चों की पढ़ाई का बन्दोबस्त हो सके जिससे वह अपने घर के लिये कुछ आमदनी कर सकें। अपनी नई तालीम को ज़रिये वे कुछ कर सकें और इस तरह से उपयोगी बन जायें।

शायद इसमें एक चीज़ ऐसी आई है कि कारख़ाने वाले यह कहेंगे कि देखो आप लोगों के हाथ में सत्ता आई। अभी आप लोग जेलों में बैठे थे और जेलों को महल मानकर बैठे थे और हमें भी ऐसा अनुभव कराना चाहते हो। पहिले तो कोई कानून भंग होता या कोई धारा भंग होती तो हम उनको ज़ुर्माना कर देते। बपया उनका जमा हो जाता है क्योंकि वह तो लाखों और हजारों बपया कमाते हैं। १० हजार बपया ज़ुर्माना किया जाय या लाख बपया किया जाय तो वह दूसरे दरवाजे से आ जावेगा इसमें कोई रज़ नहीं। यह तो हाथ का मेल है। लेकिन उससे सुधार नहीं हुआ। वे ऐसा कोई गुनाह हो उसकी परवाह नहीं करते वे मानो कोई उनको दरकार ही इस बात की नहीं है। यह सोचा गया कि जेल में बले जायें यहां तो कुछ देखें। परन्तु आज की जेलों में कई सुविधायें मिलने लग गई हैं। एक कमरा मिल जायेगा, खाना भी घर से आने के लिये इजाज़त मिल जायेगी। बीड़ी पीने को मिल जायेगी। गरमियों में बाहर सोने की इजाज़त मिल जायेगी। थोड़ा सा काम भी करना पड़ेगा कुछ तकलीफ़ उठानी पड़ेगी। सफ़ेद टोपी हो या काली टोपी हो—कोई भी हो जल की सज़ा का होना सस्ती है लेकिन वह ज़रूरी है। तो भी ठीक है कि हम उनको सुधारने में कुछ आगे बढ़ सकेंगे। मैं मानता हूँ कि इस बिल से हम हमारी राष्ट्र संपत्ति जो कि मज़दूर है उसको अति नहीं पहुँचायेंगे। मैं मानता हूँ कि इस बिल से हमें लाभ होगा और वह हमारे लिये फायदेमन्द होगा।

इतना कहते हुए मैं इस बिल का स्वागत करता हूँ और मैं आशा करता हूँ कि इस में जो कुछ कमी रह गई है उसको पूरा करने में हम समर्थ होंगे।

(English translation of the above speech).

Shri Gokulbhai Daulatram Bhatt (Eastern Rajputana States Group):
Mr. Chairman, Sir, the Honourable Minister has thrown sufficient light on the extent and trend of the activities of our leaders directed towards the

benefit of the workers. It is hardly necessary for me to trace the course of developments made in the Factories Act since 1934. It would be quite evident from a review of the changes made in the Factories Act, 1934, and subsequently during the years 1944-47, and the Bill which is before us to-day that we have advanced a good deal. It is true that if some perfect legislation is to be enacted, it should take some time, months and even years and it should repeatedly be circulated amongst the public for eliciting their opinion. Even after going through all this process, we frame legislation, I doubt very much if my honourable friend Mr. Sidhva will at all be satisfied. Normally we cannot pass any measure which is entirely free from defect. Within a short space of time the Honourable Minister brought up this measure. Though it has now been brought before us after having been scrutinized by the Select Committee, yet we are subjecting it to further scrutiny. A number of amendments have been proposed. The Honourable Minister himself is proposing amendments. Many of the honourable members who were on the Select Committee are also moving amendments. From this it follows that this is a progressive measure. It is not like a brickbat or a brick which if placed at one place cannot be shifted. We are living in such times when we are moving forward according to the extent of our vision. Take the instance of this House. When we felt some inconvenience in the seating arrangements, certain modifications were carried out to make it larger and more spacious. Whether it has been satisfactory or not is a secondary point, but we find the House comparatively larger. Similar is the process of law-making. I do not want to recapitulate the trend of progress which we have made by the enactment of this law from 1934 to 1946. Many of my honourable friends have congratulated the Honourable Minister in this connection. But it is a matter of great gratification to me that though the work done by the Honourable Minister for the amelioration of the condition of workers during the last few months is not quite adequate, yet it affords satisfaction to a certain degree. Recently he introduced a Bill regulating the grant of Bonus which I admit was a wholesome measure and for that we complimented the Honourable Minister. If we go a step further we may say that the Factories Bill which is on the anvil is not an ordinary measure. By the time that this Bill becomes an Act, many changes will have been made in it, which would undoubtedly afford some satisfaction to many of the honourable members who feel dissatisfied. One of the ideas underlying the framing of such labour legislation has been that the man who produces should have a comfortable living. To-day we are talking of factories but I venture to say that that time is not far off—it may take few years or even months to come—but that time must come—when we will not content ourselves merely by the framing of the Factories Act, but will pass a Workmen's Act or Labourers' Act; in whatever sphere they may be employed—may be in the factories, fields or anywhere, or even in their homes. We have to bring forth the 'Charter of Rights' to safeguard the rights of these persons who are labourers and getting small wages. I am fully conscious of the manner in which we are advancing to-day in the framing of legislation. I am confident that keeping in view the rapid pace at which we are moving, our Honourable Minister will sooner or later bring forth such a measure which would be the 'Charter of Rights' for all the workers in India. I will surely welcome this Bill and congratulate the Honourable Minister. I would like to say that these Acts help in changing our outlook. These laws are also framed for changing the vision of the workers. Ordinarily there would hardly be any need to resort to legislation if all the employers *suo motu* give every sort of facility to the workers. But we know that this is lacking, and so long as we are unable to inculcate that faculty in our minds, we will have to place all these measures before the society by means of legislation. We have to bring forth these measures for the protection of workers and their rights. Lest somebody might say

[Shri Gokulbhai Daulatram Bhatt]

that when it has been laid down in this Bill that if ten workers were working in the factories using power during the preceding 12 months, the Act shall soon be made applicable to them. Ordinarily this Act will be made applicable to the factories not using power wherein twenty or more workers were working during the preceding twelve months. It may be that we offer more facilities to the workers even without legislation. The factory-owners are also becoming wiser. They will say that if the question of employment of children aged fourteen is raised, we will not employ those who are thirteen years old. We will help them and form a union. These children will then represent that the age-limit of fourteen which has been prescribed by us should be reduced to thirteen. Such type of factory-owners should realize what is the object of this Bill? It does not seek to harm them. But we would surely emphasize that the workers should be allowed to work with a happy heart and honourably, so that when they return home in the evening after the day's toil, they should feel that they have worked, earned their livelihood and made their life a happy one. Such is the object underlying these Bills. If we look through this Bill we will find that it by-passes a similar Bill passed in England in 1937, to a considerable extent. Neither do I want to indulge in any sort of criticism thereof nor draw out a comparison between the two because it is no use wasting time in this way. Since I have seen both the measures, I can say that our present Bill is far more a progressive measure than that and it is a matter of great pleasure. Therefore, I was congratulating the Honourable Minister. The Bill seeks to help the producer to lead a happy and harmonious life. The other day my honourable friend Prof. K. T. Shah had observed "Produce or perish". This Bill aims at 'Produce, procure and prosper'. Or if I give the substance of the Bill, it would be 'Produce, profit and prosper'. With this object in view this Bill has been brought over here, and if we look at it from all aspects, it would be quite evident that the workers are also being subjected to the same sort of restrictions and obligations as we have imposed on the factory-owners. We are not exempting the workers from the operation thereof. Those workers who are working on the machines and using appliances have also got some obligations today, viz., they should be fully conversant with the method of handling the machinery, and the maintenance thereof. All such things have been incorporated in Clause 111 which deals with 'Obligations of workers'. Besides this, our workers shall have to observe the rules which the Provincial Governments may prescribe under this Act. Many restrictions have thus been imposed from both the sides on the two sections of the community, and this has been done for their mutual benefit. It is just possible that some factory-owners might clamour that we are thrusting some measures on them and forcing them to do a lot. Just as some people will say how is it possible to provide 500 cubic ft. of space in the existing factories? But that too provides that no exemption in this respect can be granted by any Provincial Government even though it may desire to do so, because we have agreed in principle that so much space is required for every worker. If the factory-owners cannot accommodate so many workers in the factory, then their number shall have to be reduced. It would be obligatory for them to set up new factories. Such like things we have prescribed in this Bill in the form of restrictions. But we have left to the Provincial Governments to impose other restrictions. They should frame such rules as may be in consonance with the spirit of this Bill. We shall have to vest this authority in the Provincial Governments and this is what we have done. The conditions vary in each Province. It, therefore, rests with each Province to frame rules according to its local conditions for the development of industries both small and large. Just as my honourable friend Mr. Jain has pointed out that we frame model rules but these are not acted upon. I feel that our Provinces are all wide-awake and discreet and

they are also marching ahead with this aim in view. Therefore, we should be rest assured that the rules which would be framed by the Provincial Governments would be in accordance with this Bill and not in contravention thereof. The exemption which has been provided for in this Bill especially that relating to the welfare of the workers should not be suppressed. I have pointed out this thing in one of my minutes of dissent but I am not aware whether you will accept that or not. Our Select Committee has not approved of that. But for the present I will ignore this note of dissent. There should be no distinction between the number 10 and 20. It is likely that to-day the Honourable Minister might ask us to wait and pause a little. Previously it was 50 and now it has been brought down to 20 and in the case of power factories it has been fixed at 10. This will be reduced after the lapse of four months or say a year. But we thought that all the factories should be brought on the same level. There will not be any appreciable difficulty in doing this.

It sometime so happens that 15 workers have to work in a small shop of a goldsmith and in such a congested place, they manufacture ornaments. But the space there being so short those people can say that this Act is applicable to the factory-owners only. We will carry on like this. So is there any place where all these provisions shall be made applicable, because our aim is that the worker may live a happy life. It has just been stated that this has been brought up in a separate note. But if you believe me, Sir, I may say that I was not present at that time, and I would particularly request the Honourable Minister that my note of dissent is an important one. My knowledge of English is not so vast. Just now my honourable friend Mr. Kamath stated that the Proviso to Clause 60 does not authorize the employment of any women between the hours of 10 P.M. and 5 A.M. Our sisters who are the mainstay of the mankind should not be allowed to go anywhere during these hours. They should not go out for seeking employment, but may have rest and thus maintain their health. Thus it becomes the duty of the Government to see that by doing so they do not lose their health. Therefore, I thought it necessary to place this note. If possible, you may, Sir, kindly accept this.

Shri H. V. Kamath: On a point of correction, Sir. The clause lays down definitely that no power should be given to Government to employ women between 10 P.M. and 5 A.M.

The Honourable Shri Jagjivan Ram: Yes, their note of dissent is wrong.

Shri Gokulbhai Daulatram Bhatt: Another point was that we had fixed a certain number of working hours for the workers which has now been reduced to eight, and in this way we are giving a lead to the world. Therefore, we must welcome this Bill which is a wholesome measure. An age-limit of 14 has been prescribed for 'children' and 'adolescents', because our constitution which is being framed prohibits the employment of any such person, who has not attained the age of fourteen years, in any factory. In addition to this, I would also say that the onus to make arrangements for the education of all children aged 14 years devolves on the Provincial Governments and the Central Government. Otherwise they will remain illiterate and their life will be ruined. Therefore, I hope that some sort of arrangements should be made for imparting education to all children of fourteen years of age to enable them to earn their livelihood. They may be able to do something with the help of their new education and thus become useful.

Perhaps there is something like this in it that the factory-owners might say that you people have got power—recently you were in the jails and were living there as if in palaces—and you want us also to feel like this. Previously if there was any breach of any law or section thereof, a fine was imposed on them—they deposited the amounts because they earn thousands and lacs of rupees. If they are fined rupees ten thousands or a lac, they will arrange to make

[Shri Gokulbbai Daulatram Bhatt]

good this amount through the back-door and do not at all feel the pinch. Money is a passing-phase for them. But this did not produce any salutary effect. They were not all afraid of committing any such offence. As a matter of fact they have no respect for the law. They thought of going to the jail and seeing the things for themselves. But many facilities have been made available in the present-day jails—a room will be provided—permission to obtain food from home will also be granted—Biri for smoking can be had—permission to sleep outside during the summer months will be given—a small amount of labour will have to be put in and some hardship to be undergone. May one be donning a white or black cap, though sentence of imprisonment is harsh, yet it is necessary.

Even then it is true that we may be able to make some headway in reforming them. I take it that this Bill will not prove harmful to the interest of the workers—who form our national wealth. I realize that this will stand us in good stead and be beneficial to our interests.

With these words, I welcome this Bill and hope that we will be able to remove whatever defects remain in this Bill.

Shri K. Santhanam: Mr. Chairman, Sir, this is largely a non-controversial Bill and I do not want to take the time of the House for more than a few minutes. On two points I and two of my colleagues in the Select Committee have appended a Minute of Dissent. One is that we object to the distinction between the factories with power and the factories without power. It is not only where workers are engaged in factories with power that they want protection. I believe that it is in those factories where people are working without power that workers are more sweated than in factories with power. Where there is cashew-nut making, where there is coir-making, where there is beady-making, I know that workers are literally done to death and many returns have shown us that they become victims of tuberculosis and other diseases. I do not see any justification whatsoever why where more than 10 workers are gathered together and there is an employer, the Government should not have some means of ascertaining what the conditions are, what wages are being paid, how many workers are being employed and all other particulars.

There is another more fundamental reason for our Minute of Dissent in this respect. There are two purposes of this Factories Bill. One is to ensure reasonable treatment for workers; the other is to give the nation a real, factual picture as to how many workers are employed, in what industries and what is their productive capacity. The statistical aspect of the Factories Bill is perhaps more important today than even the regulating aspect of it. We are thinking of planning our national economy. We want to build up cottage industries; we want to build up medium industries; we want to build up big industries and unless we have got a real picture of what is going on in the so-called "cottage industries", how can we build them up? We certainly do not want to build up cottage industries on the basis of sweating and that is what this exemption amounts to. Few cottage industries have as many as 20 workers. Therefore, this provision means that almost all the cottage industries will be outside the purview of this Bill and there will be no machinery to gather facts. I know there is a clause which enables the Provincial Governments to extend the powers under this Bill even to those factories, but unless we have got information from all the parts of India, unless we can have it in a uniform method, we cannot derive any enlightenment as to the overall position from what may be done in one province or two. Therefore, I suggest that it is not even now too late for the Labour Minister to take away this unreasonable and wholly unnecessary distinction. Of course, I understand that he has done it more for administrative than for any other reasons, but I do

not think there will be any insuperable administrative difficulties. As one of my honourable friends pointed out, the whole Bill is a Bill of exemptions rather than of regulations. It is open to the Provincial Government to exempt anybody from almost any provision of this Act. Therefore, in the case of cottage industries, it will be open to the Provincial Governments to exempt them from all the provisions which are onerous, which cannot be reasonably satisfied by small concerns, but they will have the framework, they will have the statistics, they will have the minimum machinery, for regulating them whenever conditions deteriorate to such an extent as to require official attention.

The second point is in relation to clause 86 regarding the employment of women. I regret that in our Minute of Dissent an error has crept in. It should have been, not between 10 P.M. and 5 A.M., but between 5 A.M. and 10 P.M.. What the Bill has done is that ordinarily women can be employed between 6 A.M. and 7 P.M.; the proviso gives power to the Provincial Governments to extend this period up to 10 P.M.. It is for this extension of three hours at night that we object, because what will be the result of extending it from 7 P.M. to 10 P.M.? Women will leave the factories at 10 P.M. They may live three miles, four miles away from their homes. They will have to return to their homes between 10 P.M. and 11 P.M. I say in the present conditions any such relaxation will be a great evil. We know how thousands of women have been abducted in a country where people are still, in spite of our boasted civilisation, of a mentality in which women are not sufficiently respected. We should not therefore allow any relaxation which is likely to lead to possible abuses. Of course, the Labour Minister will say that we are taking away the employment of the women and therefore we are intensifying their poverty.

The Honourable Shri Jagjivan Ram: I say, make them bold.

Shri K. Santhanam: Yes, I know. First make them bold and then relax. Not today, before you have educated them, before you have given them facilities, before you have rid them of the shackles of the *pardah*, which even today in Northern India, in Bihar and U.P. still continues, before you have given them rights of property. You cannot expect them to be bold all in twenty four hours. That is not a feasible process. Besides, I think it will lead to the utter destruction of home life. If these provisions were there today, I would not have objected, if women today go to work after 7 P.M., but today they do not and cannot go to work after 7 P.M. Therefore, this is a new provision, newly introduced. I understand that there is a possibility of double shift in jute and some other industries, but I would resist that temptation. After all, there is no shortage of manpower in this country, there is a surplus of manpower. Most of our women, by tradition and by choice are going to be housewives. We do not want to destroy their role as housewives in order to provide employment for a few women in second shift. I do not think I yield to anyone in my desire for the emancipation of women and for ensuring their equality, but this equality must be real and factual, not merely theoretical. If you are going to destroy their homes and leave them to all kinds of abuses by this relaxation, then, I say you are not doing any good to women; you are doing a great deal of harm. I hope therefore that the Honourable Minister will revise his views and accept our amendment in this respect. Sir, one great improvement made by the Select Committee is regarding the leave with wages. The original Bill provided for ten days. Now it has provided 15 days for a regular worker. It has combined greater leave with greater regularity of work. It has given a sort of bonus for regular attendance. Many capitalists have been saying, "Associate all privileges to workers with greater work". We have done exactly that and I hope no one of them will begin to criticise saying that we are now giving five days more of leave with wages. These

[Shri K. Santbanam]

five days they will have to earn, because only if they work for three hundred days in a year they will be given these fifteen days; otherwise, it will be only at the rate of one day for twenty days. Of course, children get a little more—one for fifteen days. I think this is one of the most wholesome provisions and in the course of the next few years, I hope our factories will increase in efficiency, so that in due time even ordinary factory workers will be able to get the leave which is now available to the so-called middle class workers or clerical workers or "white-collar" workers in the Government, namely, one month's full leave and 15 days casual leave. That is the ideal to which we should work. Probably, it is premature to think of it today, but if our democratic Governments work properly and if the workers respond to the call of the Government to increase production and efficiency, I am sure it should not be impossible to achieve this ideal within at least the next ten years. I hope that day will come. Before I sit down, I congratulate, like all my friends, the Labour Minister for this very important Bill.

Prof. Shibban Lal Saksena (U.P.: General): At the very beginning I must state that this Bill is one of the most important Bills which we have so far passed in this House. Probably it is not generally realized that by this Act we are making the life of about 30 lakhs of workers far better and far happier than it has been so far. The important change in this Bill is in respect of the hours of work. So far 54 hours per week was the prescribed minimum and this Bill will now bring it to 48 hours and when we consider that about 40 lakhs of workers will benefit by this, it becomes a very important Bill. If those factories which have not come within the purview of the factory legislation so far and which will now come within its purview, then the number may be even larger so that ultimately it will affect about 50 lakhs of workers. The introduction of this Bill will be regarded as a red letter day in the history of labour legislation in India.

If I still make some observations which are critical of some of the provisions, of this Bill, I hope my honourable friend, the Labour Minister will take them as suggestions for improvement and not in a spirit of criticism. I recently had the occasion to be at Bombay in the meeting of the General Council of the All India Trade Union Congress. My honourable friend, Mr. Kamath said that even the All-India Trade Union Congress had nothing to say against this Bill, but I can tell him as one of the Vice Presidents thereof that the A.I.T.U.C. welcomes this Bill and the criticism I am making have the full support of that body also. Sir, probably it is not realized how we have gradually reached this stage in the labour legislation in India. It was in 1868 that the first power factory was installed in Bombay and by 1875 there were about a score of factories in the country. It were not Indian labourers who clamoured for better conditions, but the Britishers who were competing with our factories who raised their selfish voice for human conditions of labour in India. So it was through their agitation that the Factories Act was first brought on the Statute Book in India in the year 1891. But it must be realised that the British people fought for this measure for having their own trade to flourish and prosper in India and not for sympathy with labour. But the humanitarian view was not altogether absent. The following paragraph from Mr. Rajani Kanta Das's "Factory Legislation in India" depicts these motives correctly:

"The problem of legislation for Indian factories was soon taken up in the House of Lords by the Earl of Shaftesbury, the wellknown philanthropist and undaunted champion of factory legislation for over forty years. On July 30, 1875, Lord Shaftesbury drew the attention of their lordships to Mr. Bedgrave's remark on Indian textile industry, noted above, and described how rapidly it was growing. Pointing out the necessity of regulating labour in factories, he urged that factory labourers in India be saved while the industry was still

young, from the difficulties and complications to which British Labourers had been subjected in the past. 'There is also a Commercial view to this question,' continued Lord Shaftesbury, 'we must bear in mind that India has raw material and cheap labour; if we allow the manufacturers there to work their operatives for 16 or 17 hours and put them under no restrictions, we are giving them a very unfair advantage over the manufacturers of our own country, and we might be undersold even in Manchester itself by manufactured goods imported from the East.'

So their fight for limiting the hours of work to 17 hours a day was not inspired by sympathy for the lot of the poor labouring people alone, but the chief reason was that their own goods would not have been sold here. The very first Factory Act of 1831 was a very simple one, in which provisions were made about the number of workers in a factory to whom the Act could apply—the limit was fixed above hundred. Then the Indian employers were using children for work and in this way they were producing cheaper goods and they therefore placed the limit of 9 years of age as the age below which children could not be employed. It is really a scandalous that at that time 9 years was supposed to be the proper age limit, which means that children of 9 were made to work for more than 9 hours a day. Between 1881 and 1948 the progress in labour legislation can be measured by the Act which we are now discussing. It is not a sudden jump. The first amended Factory Act was passed in 1881, another revised Factory Act in 1911 and the third amended Factory Act in 1922 and the fourth Factory Act in 1934 and this is the fifth and final Factory Act we are passing. I think our Honourable Minister, by the passing of this Bill, will have placed one of the most important Action the Statute Book in his time, and labour in this country will surely always remember him with gratefulness. While I compliment the Honourable Minister on having been so prompt in bringing this measure, I must tell him that the bill needs to be improved much more. We are now a free country and therefore we must not look back on days from which we have emerged, but we must now try to fall in line with the most progressive nations in the world. We are now providing for 48 hours a week, while in America they have only 40 hours a week and in Russia it is even lower. Therefore I have suggested that even if we cannot reduce our weekly hours of work so low just now, we should try to bring down our hours of work to at least 8 hours each week day with a half day on Saturday. The total will then come to 44 hours a week. But 40 hours a week should be the minimum objective which we should aim at when we bring the next amendment to the Bill. The Honourable Minister has fixed the daily hours of child labour at 4½ hours daily but he has not said anything about the weekly limit. I think it should be fixed at 24 hours per week, so that no children may generally be required to work for more than four hours per day or more than 6 days in the week. I think these reduced hours of work are the most important part of this Bill and in this matter, I hope the Honourable Minister will try to overtake the great advanced countries of the world.

Now, Sir, I come to the sphere to which this Bill applies, that is, the manufacturing processes and the allied trades and industries covered by this Bill. I am glad that the scope of this Bill has been widened and it will now become more comprehensive. But I still feel that there are some very important trades and industries to which the Bill will not apply and to which it should apply. In fact when I compared this Bill with the British Act, I find that provisions of some very important sections of that Act have been left out from this Bill and I have suggested certain amendments to bring the Bill in line with the British Act. I particularly want that the Bill should be applied to dock workers also. I would suggest that the portion of the British Act applicable to dock-workers should be included in this Bill. I have suggested that among the various sub-clauses of Section 2 of this Bill, the loading and unloading of cargo of ships should also be included as a manufacturing process.

[Prof. Shibban Lal Saksena]

I have also put down painting and polishing as some of the other manufacturing processes. There are some factories where these are being carried out and they should be brought under this Act.

Sir, more important is my suggestion that the Honourable Minister should improve the definition of the word 'worker'. In the previous Act, the definition did not include a person solely employed in a clerical capacity or in a place where no manufacturing process was carried on. On account of this omission, many workers were not given the benefits of the labour regulations. In our province, the United Provinces, in the sugar industry, the Labour Committees appointed under orders of Government had to make special provisions to be able to give the benefits to these workers also. I wish that the definition should be made to include this class of persons also, the clerical staff, the menial staff, etc. It may be said that by implication they are included; I would suggest that this should be explicitly mentioned. I have brought in an amendment so that all workers in the field are also included.

Sir, there is an important defect in this Bill, in that it will not apply to the railway workers in running sheds in future. Mr. Sidhva said something on this point and the Honourable Labour Minister was heard to say, 'go to the Railway Minister.' The Railway Minister would say, 'so far as labour is concerned, you have to go to the Labour Minister.' Between the Labour Minister and the Railway Minister, these workers will probably go to hell. I want to say to the Honourable Labour Minister that this Act should include the railway workers, especially workers in the workshops and running sheds. In fact in the Railway Act, it is provided that the railway servants whose employment is continuous shall not be employed for more than 60 hours a week. We have provided for a 48 hours' week in this Bill. I do not think the Honourable Labour Minister will be justified in leaving the workers in the Railways to such a fate. Taking the spread over into account, the total comes to 84 hours a week in the railways. I would therefore request the Honourable Minister to see that this Act which is more progressive applies also to the railway workers.

Sir, I take very strong exception to section 5 of the Act. Section 5 gives the power to the Government to suspend the entire Act in an emergency. In a slave country that power could have been justified. Now that we are free, I do not think we should give such powers to the executive. The Governments already have the power of promulgating ordinances in the case of an emergency. To give the power to the provincial Government to exempt by notification any factory from all or any of the provisions of this Act in any emergency is something far too wide. The power has not been given to the Central Government, but to the provincial Government. I would suggest that this power must be withdrawn and this section should go. Whenever there is an emergency, the Government should call the legislature to have an amending Bill passed. Such powers are not to be found in the enactments of free countries. I do not know whether in England and America, such powers were given to the executive even during war. They are the legacies of our slavery and they must go.

I would like to draw attention to one other important matter about the disposal of wastes and effluents in some of the factories. I am glad that in this Act, for the first time, the factories have been asked to make effective arrangements for the disposal of wastes and effluents. I have seen rivers in the villages being spoiled on account of the drains flowing from the factories. I have seen cattle die and men suffer from diseases on account of this. I say that the factories should be made responsible to see that before the water is

discharged from the factory, it should be purified and the factories should also be made responsible for any damages caused to the people who suffer on account of the neglect of the factories. I think provision should be made to this end in the Bill.

A word about the spread over. Here we have provided for 10½ hours. In a climate like that of our country, I think it is rather a severe strain. I would suggest that 10 hours should be the maximum spread over.

Another provision to which I object is about the leave rules contained in sections 79 to 84 of this Act. After having provided for leave, it is said that the factory manager can make a plan to regulate the leave and that he shall consult the workers in this matter. How the workers are to be consulted is not mentioned. Section 79 (4) runs as follows:

"If, for the purpose of ensuring the continuity of work in a factory, the occupier or manager of the factory, in agreement with the Works Committee of the factory constituted under section 3 of the Industrial Disputes Act, 1947 (XIV of 1947) or a similar committee constituted under any other Act, or if there is no such Works Committee or a similar committee in the factory, the occupier or the manager of the factory in agreement with the representatives of the workers therein chosen in the prescribed manner, may lodge with the Chief Inspector a scheme in writing whereby the leave allowable under this section may be regulated."

The question is how the leave will be regulated. It is said that the manager will consult the Works Committees. In the Works Committees, the workers and the management will be equally represented and the Chairman also will be one of the management. The labourers will not have a free discussion of the matter in such a meeting. I think the scheme prepared should be subjected to the labourers' free discussion and free vote. This could only be done in their Trade Union meeting. I would suggest that in the place of Works Committees, the recognised Trade Union should be substituted. I would like to remind the Honourable Minister that it is now nearly one year since we passed the Trade Unions Act in which provision was made for the Government to make rules: I am sorry to say that though ten months have passed, the rules have not yet been made with the result that manufacturers and industrialists have taken advantage of this. If the rules had been made, in every factory there would have been a recognised trade union, and with their co-operation, much could be done and industrial peace could be secured. Therefore, in sub-sections 4 and 5, for the Works Committees, the recognised Trade Union should be substituted. Then alone, there will be free expression of opinion on the part of the workers.

Then I come to child labour. I was surprised that although 15 years is the age up to which one is a child, still after 14 he is allowed to work though up to 15 he is called a child. I think a person should be forbidden 4 P.M. to work up till the age of 15, in which case we could have done without the whole section relating to child labour. The age at which a man should start work is 15: in England, of course it is 14 but there the climate is different. Here children should not be made to work before they are 15. And if, as the definition says, a child is a person less than 15 years of age, I think we should say that no one who is less than 15 should be allowed to work. If we do that a large number of clauses dealing with child labour would go away. But as it is, I suggest that there should be many more limitations on the employment of this child labour. My friend Shri Ajit Prasad Jain mentioned some. In the British Act there is a whole chapter which makes exemptions as regards the employment of women and children; they are not allowed to work in lead industry and in industries where white phosphate is used. I think we should also place these restrictions on child labour and female labour. The British Act is a good model which we could copy in this respect.

[Prof. Shibban Lal Saksena.]

Then as regards leave, my honourable friend Mr. Santhanam said that everyone should get one month's privilege leave and 15 days' casual leave. I heartily endorse that. Although I do not think we can immediately reach that stage, we can still make the rules more liberal, and instead of one day's leave for twenty days work in the case of an adult it may be made one day for every fifteen days' work, and instead of one day's leave for every fifteen days in the case of a child it may be made one day for every ten days' work. In this way I think we can make some approach towards the ideals mentioned by my honourable friend Mr. Santhanam. I think the leave rules are not liberal. In the English Act, I find they have prescribed Christmas, Good Friday and all bank holidays to be holidays for the workers also. That is more progressive than our Bill and now when we are a free country I think we should try to fall in line with other free countries.

Then one important provision of this Bill is clause 101 under which the occupier or manager of a factory can produce some scapegoats and escape liability. If he commits some faults there is a penalty prescribed; but if he can produce a scapegoat who will take the liability on himself he will be punished and the occupier or manager will go scot-free. This is something which is unfair and should not be allowed and this clause should be properly amended.

My honourable friends Mr. Sidbva and Mr. Jain both said that the most important part of the Bill should be the provisions for its implementation. I am glad that clause 118 gives the Central Government power to take the initiative; but I do not think that will be enough until the Honourable Minister uses his personal influence and gives that drive and initiative which is necessary if the measure is to be put into effect. Unfortunately the delay in making rules under the previous Act has been deplorable. I hope this will not happen in future and that rules under this measure will have been made before three months are over. I feel that this measure will be very useful for industrial peace in this country. In fact today there is inflation, industrial unrest and strikes where peace should prevail. If this measure is implemented in the spirit in which it has been conceived it will go a long way towards achieving industrial peace which we all want. Sir, I support the Bill.

Prof. N. G. Ranga (Madras: General): Sir, I am very glad that my honourable friend Prof. Shibban Lal Saksena has given such detailed consideration to this Bill; but I wish to assure him that after all it is not quite right for him to be so pessimistic about the possibilities of this Bill.

Prof. Shibban Lal Saksena: I am not pessimistic.

Prof. N. G. Ranga: And this Bill is not so backward either.

Prof. Shibban Lal Saksena: I did not say that either.

Prof. N. G. Ranga: It is not even so unsatisfactory as he has given us to understand.

Prof. Shibban Lal Saksena: I said nothing like that.

Prof. N. G. Ranga: He said nothing that I have so far suggested but I am afraid he has given that impression to this House, that it is neither such a progressive Bill nor such a satisfactory one. That at least is unfortunately the impression which has been created in my mind. Sir, I congratulate the Select Committee as well as the Labour Minister on having produced this report. I have given very careful consideration not only to this Bill but also to the Act which it seeks to supersede; and for a number of years we have been asking for many of the reforms which have come to be incorporated in this Bill. We asked the previous Government—but in vain—to extend the scope of factory legislation to that large number of small industrial concerns where less than 20 workers are employed and who are being treated very shabbily indeed. Now comes a measure to give these people also the benefit of protection of this

particular Bill; and factory inspection and many more new innovations have come to be introduced in this Bill, not the least of which is the creche about which my honourable friend Mr. Kamath was so very enthusiastic after having seen it in Russia. One friend from behind me was asking me this morning whether after all when there would be a creche it would be reasonable for one to expect that there would be a few dolls, in spite of having a provision that every creche should be equipped with dolls. That is how this scepticism occurs in regard to any proposals that may be coming from my honourable friend and the limits to which scepticism can possibly go; and I think it is very unreasonable scepticism. But I do agree with my honourable friend Prof. Shibban Lal Saksena when he demurred to the provisions giving emergency powers to the various authorities. I have no objection to emergency powers being given; indeed in these days emergency powers are inevitable and they have to be placed in the hands of some authority or other. But what is found lacking in this is that whereas in the International Labour Conference every effort is being made to insist upon prior consultation with the corresponding organisations of employers and employees before these emergency powers come to be exercised by the authority concerned, we do not find any such thing here. And I do hope that my honourable friend the Labour Minister will take early steps—not necessarily legislative—to give administrative directions to the authorities concerned in order to help them to consult the corresponding organisations of workers and employers before they try to give effect to these emergency powers.

Then my honourable friend Prof. Saksena took exception to the Works Committees in regard to leave. I think he should have hailed this provision that an employer should have to consult the Works Committees when he comes forward with any proposal for offering leave and regulating how and when the leave is to be made use of by the workers, and so on. But what possible objection can he have to these Works Committees except that on these Works Committees the managerial staff also might come to be represented whereas on the trade unions only the workers would be represented? Which would be more democratic, which would be more satisfactory and conducive to industrial peace? To make the employer depend for his consultations only with the workers, or to depend on the consultation with the managerial staff and workers also? I prefer the second solution. That is why I support the provision in this Bill.

I am also very glad that this Bill seeks to make good one very big omission indeed in the earlier dispensation. In the earlier days, the Central Government did not have any direct responsibility to ensure that the Factories Act could be and would be fully and satisfactorily enforced. Now for the last thirty years every one who has made a study of labour conditions has been making one big complaint in regard to this particular matter, *viz.*, that although this Factories Act was on the Statute Book it was not being enforced because the Provincial Governments were not so much interested. Therefore, I am glad that the Central Government has today taken the necessary power to give necessary directions from time to time to Provincial Governments in order to see that this particular Bill, when it becomes an Act, is properly and satisfactorily enforced. But more than that, there is even a bigger guarantee that the workers' interests will be safeguarded, that the provisions of this Act will be put in force in the democratic legislatures that we have in our various provinces and also in the growing labour movement. What organized labour in this country ought to look for is not so much for the Acts on the Statute Book but for their own organized strength and capacity to enforce their own will and to see that proper protection is offered to it by the Provincial Legislatures. And what are these Provincial Legislatures. If this House can consider itself democratic, I can assure you that the Provincial Legislatures can claim themselves to be just as democratic as this House, if not more democratic. Indeed the Provincial Legislatures are responsible to their own constituencies, whereas this House depends for its franchise on these Provincial Legislatures in regard to which Prof. Saksena

[Prof. N. G. Ranga.]

seems to be so sceptical. Therefore, it is indeed very good and wise to leave this particular matter to organized labour on the one side and democratic Legislatures and Cabinets in the Provinces, and I do hope that the fears expressed by Mr. Sidhva in regard to the possible failure of our Government to enforce this particular legislation would come to be falsified by the future history of our country.

I shall comment on one thing more, and that is in regard to inspection. Till now Government have been dependent on their own Factory Inspectors. I have suggested several times before that they should make certain experiments for invoking the aid of village *panchayats* in villages and municipal councils in towns, and ask those people to do a bit of factory inspection and bring to the notice of the Government, much more quickly than is now possible by Factory Inspectors, any discrepancy in this particular Act of any misbehaviour on the part of employers.

I have one more word to say in regard to the punishment provided in this. I am inclined to agree with Prof. Saksena that it might be possible for some of these managers to make scape-goats of some of their proteges and then try to escape for any misbehaviour of their own. I think something ought to be done in order to avoid this trouble. Secondly, Sir, I am indeed glad that not only fines, but also imprisonment are provided for any misbehaviour on the part of employers. I am also glad that a lower fine is prescribed for workers than what is prescribed for employers. But at the same time I am not satisfied that the workers are sought to be protected from the Courts as well as from the employers for any sort of misbehaviour on their own part. Well, I think further consideration will have to be given by Government in order to see that the workers' interests are better protected than is sought to be protected according to this Bill, so far as my present reading of it suggests to me.

I am very glad anyhow, that there is a section in this Bill, called Section 111 regarding the obligations of workers. I am glad it is there. Workers have to satisfy or carry out their own obligations just as carefully and scrupulously as the employers. Workers, unfortunately, of course, till now, have complained that it has been a one-sided affair: that they had been expected to carry out their obligations, whereas employers were let off "scot-free" to a very great extent. Nevertheless, it is high time now for the workers to realize and remember their obligations and discharge their own obligations as scrupulously as they have been doing; if not more carefully, even while they insist that the employers should carry out their obligations cast upon them in this Act.

Lastly, I am very glad that this experiment is being made to extend the scope of this Bill to a very large number of industrial workers indeed in this country. I am also glad that all those workers, not directly employed by the so-called employer—but who anyhow are slaves of him and come under his influence in an indirect manner—are also being given protection under this Bill to administer this Act.

Under the circumstances, it is going to be a very difficult thing indeed. If there were 7 or 8 million people who had been brought under the protection of the earlier Bill, I am sure, Sir, more than 20 million workers will come to be protected by this Bill when it becomes an Act. Therefore to try and safeguard the interests, according to the provisions of this Act, of 13 more millions of workers is going to be a colossal affair and it is going to cast a very great responsibility on the Provincial Governments and the Central Government. I do feel that it is a very courageous step for the Honourable the Minister to have taken and he needs our good wishes and he needs the good wishes and support of all well-intentioned employers on the one side and of patriotic workers on the other.

Shrimati Renuka Ray (West Bengal: General): It had not been my intention to take part at this stage of the debate, as I am a member of the Select Committee. But certain points have been brought up about which I feel compelled to speak.

In the first place, this Bill is a measure which is long overdue. It is a measure whereby the Act of 1934 has been improved upon in a way so that it can be implemented and worked. It goes without saying that the 1934 Act in many ways was a dead letter. Apart from the other improvements that have come in, I think the most important part of this measure is that it has made that Act of 1934 workable.

Sir, my honourable friend Shrimati Durgabai said that the measure is a charter of rights. Now, I am very enthusiastic about this measure, but at the same time I do not think it can conceivably be called a charter of rights for the labourers. One may say that it is a part of a charter of rights that will have to be drawn up, but it cannot be a charter of rights because it merely lays down the provisions in regard to working conditions and not conditions of living, which is undoubtedly the most important part of a charter of rights for the labourers.

Together with the Workmen's State Insurance Act, I think this measure is a first step towards achieving this, and I feel that if the Honourable the Labour Minister has a chance, he will bring in, in a not too distant future, a real charter of rights for the working classes in this country.

Now, Sir, I would like to refer to the speech of my honourable friend Mr. Santhanam. I must say that the first part of his note of dissent has a good deal of my sympathy. I do feel that it would have been better if we had included those factories where power is not used under this measure. But in regard to the second part of his note of dissent I want to point out that it would be totally unjustifiable to bring in this provision, whereby women should be entirely prevented from working even up to 10 o'clock. We have to consider this from all points of view. Anything that is really injurious to women's health or home of course must be left out and we should not make any such provision in the Factory Act or anywhere else whereby women have to work under conditions which would be really injurious to her health or to her home. It was for this reason that I moved an adjournment motion in the central assembly in the old days against the withdrawal of the ban on women working underground in mines, because I felt that this was entirely and wholly a wrong measure. But at the same time I do feel that we have to be careful in these things. In the first place if we put bans and restrictions on women working in various ways, we are likely to eliminate women workers as labourers altogether. For instance if we do not allow women in some factories to work up to 10 p.m. it may be that shifts being arranged as they are, they would just be deprived of working in such occupations altogether. Will their working up to 10 p.m. be so very detrimental to their home life? I do not think so. First of all these women who work go together to the factories and come back together. I do not think there are cases of abduction.....

Shrimati Dakshayani Velayudhan (Madras: General): Do they live in the same home so that they can go and come back at the same time?

Shrimati Renuka Ray: They usually stay in the same locality. I think that this exemption will apply only in certain specific industries such as jute mills, where they go together and come back together. Their homes are very near each other. I do not think cases of abduction have occurred. We have had a good deal of abduction in this country in the recent past but I do not think there have been many cases in regard to women labourers. Although women in this country are not yet able to look after themselves, a sorry situation which one has to admit, yet women labourers—I am proud to say—are at least a section

[Shrimati Renuka Ray.]

of our countrywomen who are able to look after themselves much better than others. It would be very unjust on our part that because there are other women who are still suffering from complexes and who have not been given facilities whereby they could look after themselves and hence are unable or unskilled to do certain jobs, we should prevent these other women workers from getting economic justice. It will mean that we deprive them of their means of honest livelihood which will have repercussions of an injurious nature on their family life and homes. For that is what it will mean. I am very much against this note of dissent and I hope that the Honourable the Labour Minister will not accept any amendment on this score.

There is just one other point on which I want to say a few words. My honourable friend Mr. Shibbanlal Saksena spoke about Railways being exempted from the Factories Act. That is not correct. They are not exempted from this Bill. What has been done by the Select Committee is that the railway running sheds have been exempted, because it so happens that their leave rules happen to be better than the leave rules under this Bill. Where any kind of labour has better treatment than the minimum conditions laid down under this Bill I do not think it would be to their detriment that they are exempted from the provisions of this Bill. I think this matter should be cleared up and it should be understood that the railways as such are not exempted.

I do not want to make a long speech. I feel that this measure is an extremely good one. Of course it has defects. My honourable friend Mr. Naziruddin Ahmad will find many grammatical errors and defects in this Bill to which he can bring amendments. Again I do feel that in the light of experience many real defects are also likely to come out which we cannot foresee today. These will have to be rectified later after this Bill has been passed and worked for sometime.

My honourable friend Mr. Sidhva made a long speech about the implementation of this Act. I have always thought that the implementation of an Act is far more important than just enacting it. I think the Honourable the Labour Minister is very much alive to this aspect of the case and I am sure that he will do his very best to see to it that the Act is implemented. As some honourable friends have said today the provincial governments cannot be looked upon in the same way as provincial governments in the past and we do hope that they too will be equally interested as the Honourable the Labour Minister is in seeing that this Factories Act, which though not a charter of rights for the working classes will be an important part of such a charter when it is enacted, is implemented properly.

The Honourable Shri Jagjivan Ram: Mr. Chairman, one finds it very difficult to give a reply to such a large number of criticisms, more so when those criticisms are not made in a spirit of opposition but in an appreciative and congratulatory spirit and also to demand something more for bettering the condition of the working classes. From one section of industrialists in this country and from a few members of this House there has been a complaint that I was going rather too fast in the matter of labour legislation and it leads me sometimes to think whether I am really going too fast. But today after hearing the speeches of the honourable members in this House I feel that I am not going fast enough. In spite of those honourable friends in this House who have sometimes been complaining that the pace and the speed with which I am bringing in labour laws will retard the progress of industrialisation in this country, it has been my own personal feeling that I was not going too fast, because it is inherent in what we have inherited as a legacy from the past government that the pattern of Government that we are working under does not lead us to go fast. This feeling of mine has been confirmed by the honourable members of this House.

Sometimes it has also been complained that some of the measures that I was bringing forward were of a revolutionary nature, that they will scare away

capital and will retard the progress of industry in this country. I think that that apprehension also has been falsified because a democratic government cannot claim to be a democratic government if it does not happen to be the barometer of the feeling in the society. Today I find that my measures do not generally represent the feeling of the society because from the speeches of honourable members here I find that the Bill that has been brought by the Government is not up to the expectations of the honourable members here. That means that it is not up to the standard of the social consciousness that has been aroused after the attainment of independence in this country. Therefore it is a very gratifying feature for me to find that the complaint against me of a certain section of the industrialists and a few honourable members of this House as well is totally untenable.

I now come to the various suggestions that have been made with a view to improve the Bill. I can classify the various speeches made into three categories: one which has been simply to congratulate me, to appreciate the measure and to appreciate the solicitude of the Government in improving the condition of the working classes. To that part I have nothing to say except acknowledging them with thanks. The second part is of such suggestions as have arisen out of a misconception of the provisions of the Bill, or due to the want of a thorough grasp of the provisions made in this Bill. Notices of a large number of amendments have been given. I have given my serious thought to these amendments, and I find that a very large number of the amendments are due to the fact that the honourable members have not bestowed that amount of thought and consideration on the provisions of the Bill as they ought to have given to them. Had they given that much of thought to the various provisions of the Bill they would not have come forward with these notices of amendments.

Mr. Nasiruddin Ahmad (West Bengal: Muslim): There was no time to read the provisions of the Bill.

The Honourable Shri Jagjivan Ram: Had they also given their thought to the various aspects of the provisions of the Bill I think many members who have said so many things would have saved a lot of the time of this House. I will not take the time of the House on these suggestions as well. I may just say that many of the suggestions that have been made, either in the course of speeches or those which are sought to be made in this Bill by amendments, are already covered by the provisions contained in the Bill, for example, Sir, I may refer to the point that was raised by my honourable friend Prof. Saksena, whom I do not find in his seat, to include certain manufacturing processes. I am afraid he has not carefully gone through the provision as given in the Bill. Had he done that he would not have raised those points. Similarly there are so many instances that I can quote. So I will not examine the points, made either through the speeches or sought to be made through amendments, in respect of provisions which are already covered.

Then two or three serious criticisms have been made. One is that the present Government, and more so the unfortunate soul which is sometimes called the champion of labour and sometimes the enemy of industrialisation, has been pampering labour. I may assure you, Mr. Chairman, that I am one who believes that right and responsibility go together. I am one who believes that there cannot be a right without a responsibility and anybody who craves for rights and shirks responsibility is not a true citizen of the country. So anybody who thinks that I pamper labour, I am afraid, has not been able to appreciate my policy. I want that the working classes in this country must be treated as citizens of the country. They must have every human right. At the same time I also want that every citizen should realize his responsibility—the working classes included. But you cannot expect only responsibilities. It has been an unfortunate factor in this country that we have been given to expecting only responsibilities from the working classes. When I want some

[Shri Jagjivan Ram.]

rights for them, those who have been given to the habit of taking work from them without giving them the reward, feel that something revolutionary was being sought to be done. That is the whole crux of the situation. I have not made it a secret that I regard workers as an indispensable part and partner in any industry. I have said it so many times. I want to repeat it once more, not because I do not want industrialisation in this country, not because I do not want to protect the industrialists and the employers so long as we are working in the present economic pattern of the country, but because I feel this is the only step which can save the industrialists for some time to come. That is my genuine desire. With such a stupendous fall in production, with such a shortage of consumer goods, I know that it will be foolishness on our part to transform the existing economic system overnight. Therefore we have to protect and preserve the private industries for some time to come. But I know that no amount of appeal, no amount of request—not only from the Government but also from the leaders who count in the country—is going to help the situation unless we do something concrete for the toiling, starving and neglected working classes. Whatever step I propose to take is with that end in view. It is with a view not only to help the working classes but with a view to help the industrialists as well. I have sometimes told my industrialist friends in confidence—and I do not mind repeating it here as well—that if they do not change their outlook, if they do not regard that the workers are also as good human beings as the employers, they will be hastening their own ruin. If today I am forcing something which may appear unpalatable to the employers I may assure them I am doing those things primarily in their interests, because I want to save them in the interests of the nation for some years.

This Factories Bill, Sir, seeks to give some rights to the workers, but at the same time it does not deprive them or bereave them from their responsibilities. If one will look to the provisions of this Bill—I do not want to examine it clause by clause as some of my friends have done, though I can do it I think it is not appropriate at this stage—one will see that we have thrown responsibilities on the workers as well. In every measure that I am bringing, I am seeking to make the workers realise that they have a responsibility, they have their duties not only to themselves, not only to their employers but to the country and the community as a whole.

Some of my friends have said that this Bill is a revolutionary one. Others have said it is a charter of rights for the working classes. I wish, Sir, it were so. I do not think there is anything revolutionary in it; though there are some provisions which seek to uplift the workers from the very downward position to which they have been relegated from so many years past. I do not think those things to be revolutionary. To call a man a man, to call a citizen a citizen, I do not think is any revolution. And what does it seek to do? What it seeks to do is that if a worker falls ill he requires the services of a doctor as much as an employer requires, a worker if he meets with some accident deserves some first-aid as you or I or anybody else deserves. I do not think it is a revolutionary idea if one were to provide some first-aid, some amenities for the workers, as we do for others. It is not a revolutionary idea if one were to ask that if an employer were to employ a lady he will have to make provisions so that the child of that lady is looked after so long as she is engaged in the factory, and there is nothing like revolution if one were to expect that some provision will be made to give some milk, some refreshment, some playing space for those children.

The one thing that may be very revolutionary is that the employers will have to employ welfare officers to look after their workers in factories. The employers may feel—and I have received some protests from certain quarters and certain sections of the employers—but I do not think there is the least germ of revolution in that because that provision also I have made in the interests of

employers. I have been telling my employer friends to look to their counterparts in other countries like America and the United Kingdom, which have the same type of economy as we have—I will not invite them to look to that of Russia, that is a red rag with them. Let them see what amount of money employers in America and in Great Britain were spending on propaganda to educate their workers. I have been asking my employer friends here what amount they are spending for the education of their workers—not education in the general sense but education in the sense that if you are doing really something beneficial for your workers those very facts should be brought to their notice. That even is not brought to their notice. Well, disputes and troubles arise sometimes on trivial and trifling matters; had those things been settled as soon as they started, I think much of the bigger troubles could have been avoided. But there is no agency and there is no contact between the employer and the worker. So, this provision of welfare officers I presume should be a living contact between the employers and their employees, and that will be in the interests of the employers.

So, personally I do not find anything revolutionary in this measure.

Then, Sir, I come to the criticisms. One of the very important criticism of this Bill is that much power of exemption has been given to the Provincial Governments. I agree and accept that. Though there has been a definite improvement in this Bill over the old Act in the matter that we have made a statutory provision in the Bill itself for many things which in the old Act were to be done by rules framed by the Provincial Governments, still very many things have been left in this Bill which are to be prescribed by rules by the Provincial Governments. We have also made very many provisions by which the Provincial Governments or the Chief Inspectors of Factories of the Provincial Governments have been authorised to make exemptions of factories or a class of factories from all or any of the provisions under the various sections of this Bill. But I feel, Sir, that it is necessary that becomes necessary from the very fact that this Legislature is the Legislature of a Federal Government. We cannot afford to shut our eyes to this fact that we are legislating here for a field over which I have no executive authority. And, Sir, I may not expect that the very small staff that I have got in this section will know the various details that are required to be included in these rules. In a huge country like this where conditions differ so diametrically from one part to the other, it is not possible here to frame such detailed rules in the Act itself. Therefore, we had to give these powers to the Provincial Governments.

Then I come to the question of the power of exemptions. Sometimes power of exemption is necessary. I do not want to examine the various clauses, but if one were to examine them one will find that when we are making changes, introducing new measures and making them applicable to the existing factories as well, it will not be wise or desirable for us to expect that all the existing factories will conform to the various provisions that we are laying down in this Act. In the cases of many of the existing factories, their machineries and accessories will have to be rejected because they cannot conform to the new provisions made under this Act. Therefore, exemptions in many cases have become necessary and indispensable, so that we may not have, as soon as this Act is passed, to ask a number of factories in this country to close down. That will not be a wise thing, from the larger national point of view, more so at a time when production is suffering. So, however I wish that all the factories in this country should conform to the new standards, having some responsibility as an administrator, I cannot shut my eyes to these bare facts.

Then, there is another fact. Apart from all these considerations, does it not imply some distrust of our Provincial Governments when we say: Why so much power of exemption is being given to the Provinces?

Mr. R. E. Sullivan: Because they have not acted fairly in the past.

The Honourable Shri Jagjivan Ram: Mr. Sidhva has been very well replied by Prof. Ranga.

Mr. Nasiruddin Ahmad: They cancel each other!

The Honourable Shri Jagjivan Ram: I think they neutralised each other, but I would like to request my honourable friends in this House to remember that the Provincial Governments, their ministries and their legislatures, are as much responsible there as we here claim to be and if we are giving them these powers, I think there is no reason to think that they will not be utilised properly.

Then the other question is about implementation. Mr. Sidhva was very much emphatic that the Provincial Governments have not been as alive to the implementation of this measure as they ought to have been. I know, Sir, that there are various difficulties. On previous occasions, I have given out some of the difficulties which force the Provincial Governments not to engage as large a staff as is necessary for the full implementation of the provisions of this measure, but it is gratifying to note that since I took charge of this responsibility, I have been periodically calling conferences of the provincial Labour Ministers and also calling periodical conferences of the Chief Inspectors of Factories of the Provincial Governments, and as a result of these conferences and as a result of our insistence on the Provincial Governments to increase their Factories inspectorate staff, I am glad to inform the House that today the number of Inspectors in the provinces which, two years back, was only 62, is today 86. Some of my friends will at once say that in such a vast country like ours only 86 Inspectors are not sufficient. Well, I am told that the number of factories in this country so far covered under the Factories Act is something like 13,000. So by rule of three, every Inspector is in charge of or supposed to be in charge of something like 150 factories. That is not a very low standard, I may inform the House. That is supposed to be a very reasonable and a very good standard—to have one Inspector per 150 factories,—so that today we cannot say that we have not sufficient inspectorate staff. But as we widen the scope of the factories Act, the number of factories will increase tremendously.

Prof. M. G. Ranga: It will be three times more.

The Honourable Shri Jagjivan Ram: But while I agree with my honourable friend Mr. Sidhva that the number of inspecting staff will have to be greatly increased, we cannot expect the Provincial Governments to increase their staff simply by criticism, simply by saying they are incapable and so on.

Mr. R. K. Sidhva: Then, what should I do?

The Honourable Shri Jagjivan Ram: You have to use persuasion. You have to remember that they are as anxious to go ahead with this work as we are. So I personally feel that the response to my request to the Provincial Governments has been very encouraging. During the last two years they have appointed twenty-four new Inspectors and that is not a small figure.

Babu Ramnarayan Singh (Bihar: General): What about Bihar?

The Honourable Shri Jagjivan Ram: I have not got the figures for the different provinces ready at hand, but I feel that Bihar is not lagging behind in this respect. Bihar has also made some new appointments, but I wish my honourable friend from Bihar is in better possession of facts about Bihar than I am.

Then, Sir, there have been some questions about more amenities for the workers. One thing we should not forget is that this is after all a Factories Bill. By "Factories Bill" it is implied that we are proposing to regulate the employment conditions, health and safety of the workers inside the factory. We should not confuse it with the welfare measures for the workers outside the factory. If we keep these two factors separate, many of the questions that have been

raised in regard to adult education, visual instruction, primary schools etc. would not have been raised here. Those things are very necessary. They are crying needs of the time. We will, either I as a Labour Minister, or the Government as a whole, here in the Centre or in the Provinces, will have to take concrete steps for educating our adults, for educating our children and other similar things. But that work does not fall within the purview of the Factories Act. I think if we were to include the question of primary education etc. in this Bill, the people outside would ridicule not merely my Ministry but this Legislature also. While therefore those provisions are necessary they are not within the jurisdiction of the Factories Bill. We purposely kept the various age-limits in this Bill so that when we have education scheme for the country, when we feel that all children of such and such age will have to be put in the schools, we have provided that from the creches they will go to the schools.

Then, you Sir, raised the question about the training of workers. That, also, I am afraid, does not fall within the purview of the Factories Bill. We are, however, examining that question separately, as it has a very important place in the national economy. At a time when we are so short not only of production but also of man-power—and here perhaps some of my friends may think that when we have such a huge resource of surplus manpower it looks paradoxical to say that we are short of man-power—but all the same, Sir, the fact remains that we are very short of man-power and therefore, we will have to

5 P.M. train our people and I am examining that question. We have also taken that question separately with the employers in various industries in order not only, that the workers may be in a better position to earn something more but also that we can solve our shortage of manpower and technical personnel. We will have to make adequate provision for training the workers with a view to upgrading them. That question we are examining separately and I am thankful to you, Sir, that you pointed it out here. My time is over, Sir and I shall say a few words about one or two things

Some Honourable Members: Tomorrow?

The Honourable Shri Jagjivan Ram: I will rather have it finished in five minutes now.

About women, Sir, I think the objection of Mr. Santhanam has been neutralized by Mrs. Renuka Ray. But I would like to say one thing. I have given serious consideration to this question. But I do not want to confuse the issue by raising questions like abduction, *pardah*, illiteracy and things like that which he has raised. These are not the ladies who remain in *pardah*. The question of *pardah* does not arise here. Those who are in *pardah* can afford to live in *pardah*, but those who are on the point of starvation they have to go to the mills and earn their livelihood. We cannot judge their standard from the standard of the middle class people. We will have to judge it from the standard of those people who have no means of livelihood.

Shrimati Dakshayani Velayudhan: I should like to know whether the international law allows women to work in factories between 7 and 10 P.M.?

The Honourable Shri Jagjivan Ram: It does and it is in conformity with the international law, but I am not judging it from the international point of view, Sir. Sometimes we have to judge things on the merit of our national requirements and the requirements of our own society. We cannot judge everything from the standard of America, Russia or the United Kingdom. There are so many things in our society which are not to be found in other countries.

Prof. N. G. Ranga: America proposes that women should work till 12 o'clock.

The Honourable Shri Jagjivan Ram: And then to confuse these issues about illiteracy and literacy. Are you really proposing that you are not going to allow illiterate women after 10 P.M.? If you do not allow these women to work, they may have to face starvation. I can appreciate your anxiety for social standards and morality if before making this note of dissent you have brought a resolution that no lady after 10 P.M. is allowed to go and walk in the clubs, on the roads in the towns and the bazaars. For luxury everybody and anybody can go out but for necessity you want to prevent them. Their necessity is greater.

Shrimati G. Durgabai: They go in the cars. Why not?

The Honourable Shri Jagjivan Ram: Then, Sir, about abduction. I wish my honourable friend could have studied the statistics about abductions and then he would have found whether these working-class ladies have been abducted or those in *purdah* have been abducted. He could have ascertained who are the ladies who are abducted most, not those who go in the mills and work, not those who stand on their legs and who earn their livelihood, but those who are confined in *purdah*. Even on principle as much as on necessity, I feel this provision is very much necessary. I have personally seen the females of those poorer classes who have no mainstay, no land, no supporter; they will have to beg or starve if they are not allowed to work and they may not get work if they are not in a position to work for the second shift as well and this provision has been made with a view to enable them, those who as a necessity have to work, that they may work for the second shift also. This will be applicable only in those factories which are working the second shift. So in order to provide those ladies who have no means of livelihood and who may be forced to work the second shift may be in a position to earn their livelihood and also to maintain their small children that this provision has been made. It has been said that it was not in the existing Act; it might not have been, but when I feel that a thing is necessary, there is no bar in introducing a new provision. The fact that this provision is not in the existing Act, is not an argument against introducing it in a new Bill. I feel it is a very necessary provision. I have given my very anxious thought to this question, but at the same time I have seen their pitiable condition and I have come to the conclusion that this provision is very necessary in the interests of those women workers. With these words, I hope the House will accept my motion for consideration.

Mr. Chairman: I think honourable members will have an opportunity when the details are being discussed of having reply to all the questions.

The question is:

"That the Bill to consolidate and amend the law regulating labour in factories, as reported by the Select Committee be taken into consideration."

The motion was adopted.

The Assembly then adjourned till a Quarter to Eleven of the Clock on Tuesday the 24th August, 1948.